THE

HISTORY AND PROCEEDINGS

OF THE

House of Commons

FROM THE

RESTORATION

TO THE

PRESENT TIME.

CONTAINING

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VOL. I.

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MVSEVM
BRITANNICVM



TO HIS

ROYAL HIGHNESS

FREDERICK

Prince of *WALES*.

SIR,

PART of this Work having already received the Sanction of your ROYAL HIGHNESS's Countenance and Pro-

 tection,

tection, I make it my moſt humble Requeſt that the ſame Honour may be extended to the whole.

The Volumes, now preſented to your ROYAL HIGHNESS, contain the moſt important Parliamentary Tranſactions from the Reſtoration to the Death of the late Queen ANNE. An Interval abounding with great Events: and in which the Deſigns and Artifices of all Parties in Turn, are alike explained by their Actions.

Per-

DEDICATION.

Perhaps, Sir, there never was a Crisis when Papers of this kind were of more Consequence to the public Service: A Circumstance which I take the liberty to mention, as what will most effectually recommend them to Your ROYAL HIGHNESS's Favour: an Insinuation which to some Princes would be Flattery, but to your ROYAL HIGHNESS is the plain Truth: What a whole grateful People have seen confirm'd by your Actions; of which the most recent will, in a more especial manner, render you the Darling of the *British* Nation.

I am, may it please Your ROYAL HIGHNESS, with the utmost Respect and Submission,

YOUR ROYAL HIGHNESS's

Most obedient,

Most devoted, and

Most humble Servant,

The Editor.

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IN THE

House of Commons,

FROM THE

RESTORATION.

NOT to enter into the Controverſy, if it will admit of one, whether the Repreſentatives of a People are accountable to their Conſtituents; or ſcrutinize whether it ought to be deem'd an Offence, to lay the Proceedings of our Repreſentatives before thoſe they repreſent; this is certain, that no Hiſtory, or Diſſertation on State-Affairs of any Kind whatever, is, in any Reſpect, ſo ſerviceable, as a View of our Parliamentary Tranſactions; eſpecially, if diligently collected, regularly digeſted, and deliver'd with Candour and Perſpicuity. For, by this Means we examine Parties by their own Light, adjuſt their Characters by their Actions, not their Pretenſions, and enable ourſelves to form a right Judgment of the Preſent by the Paſt: Arguments appear with more Force in the Mouths of the Speakers, than in the moſt lively Narration: We become acquainted with the Men, their Motives, Prejudices, Capacities and Virtues, as well as the Subjects they canvaſs; nay, we ſeem preſent, become Parties in the moſt important Debates, and have the Pleaſure of approving, or oppoſing both Patriot, and Miniſter in turn, as Artifice or Prejudice diſcovers itſelf in either, to the Diſ-

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honour of Truth, and the Detriment of the Commonwealth. Here, likewise, the true Grounds and Reasons of every new Law are to be found; the Necessities, real or pretended, for annual and incidental Supplies, together with their Use and Application: The Progress or Redress of Grievances: And, in fine, whatever serves to impair or preserve the Constitution.

Of this comprehensive Nature is the noble Work before us; and, consequently, how much is it to be lamented, that it was not set on foot long ago: That the Good and Ill of every Parliament, nay every Session, might have been more particularly known; and the principal Actors in each, branded with the Infamy, or rewarded with the Honour which their honest, or corrupt Behaviour deserv'd?

No Cost, or Diligence, however, has been spar'd to glean up every valuable Relique that Time has left us, either to illustrate or adorn this Collection; which we hope, we may, without Vanity, affirm to be the most perfect extant.

The Period from whence we set out, is that most remarkable one of the Restoration: When the Wheels of Government return'd to their antient Track; and from whence, as will appear in the Course of these Papers, they again deviated by Degrees, till the Appearance of a new System of arbitrary Power brought on the Revolution. This Interval contains one complete Section of the British Story. That from the Proclamation of William and Mary to the Death of the late Queen Anne, another. And as to the Determination of the next which ensued, it must be left to some future Historian.

The fluctuating State of the Public Affairs, after the Death of the great Cromwell, having, at last, lodg'd all Power in the Army; and Monk, their General, having either too much Honesty, or too little Genius to sway the Sceptre himself; a way was open'd for the hitherto unfortunate King Charles, to become a Sovereign in Fact, as well as Name: Previous to which extraordinary Event, he was pleas'd to send Sir John Greenvil from Breda, with several Dispatches, and among the rest, the following Letter to (Sir Harbottle Grimstone) the Speaker of the House of Commons.

The King's Letter from Breda to the House of Commons.

'CHARLES R.

'TRusty, and Well-beloved, We greet you well: In 'these great and insupportable Afflictions and Ca'lamities under which the poor Nation hath been so long 'exercis'd, and by which it is so near exhausted, We can'not think of a more near and proper Remedy, than 'to resort to those for Counsel and Advice, who have 'seen, and observ'd the first Beginning of our Miseries, the

'Pro-

Progress from bad to worse, and the Mistakes and Misunderstandings which have been produced, and contributed to Inconveniences which were not intended; and, after so many Revolutions, and the Observation of what hath attended them, are now trusted by our good Subjects to repair the Breaches which are made, and to provide proper Remedies for those Evils, and for the lasting Peace, Happiness, and Security of the Kingdom. Anno 16[illegible]

'We do assure you, upon our Royal Word, that none of our Predecessors have had a greater Esteem of Parliaments, than we have in our Judgment, as well as from our Obligation; We do believe them to be so vital a Part of the Constitution of the Kingdom, and so necessary for the Government of it, that We well know neither Prince nor People can be in any tolerable Degree happy without them; and therefore you may be confident, That we shall always look upon their Counsels, as the best we can receive; and shall be as tender of their Privileges, and as careful to preserve and protect them, as of that which is most dear to Ourself, and most necessary for our own Preservation. And as this is our Opinion of Parliaments; so We are most confident, That you believe and find, that the Preservation of the King's Authority is as necessary for the Preservation of Parliaments; and that it is not the Name, but the right Constitution of them, which can prepare and apply proper Remedies for those Evils which are grievous to the People, and can thereby establish their Peace and Security. And therefore we have not the least Doubt, but that you will be tender in, and as jealous of, any Thing that may infringe our Honour, or impair our Authority, as of your own Liberty and Property; which is best preserv'd by preserving the other.

'How far we have trusted you in this great Affair, and how much it is in your Power to restore the Nation to all that it hath lost, and to redeem it from any Infamy it hath undergone, and to make the King and People as happy as they ought to be, you will find, by our inclos'd Declaration; a Copy of which we have likewise sent to the House of Peers: And you will easily believe, that we would not voluntarily, and of Ourself, have reposed so great a Trust in you, but upon an entire Confidence that you will not abuse it, and that you will proceed in such a Manner, and in such a due Consideration of Us, who have trusted you, that we shall not be ashamed of declining other Assistance, (which we have Assurance of) and repairing to you for more natural and proper Remedies for the Evils we would be freed from; nor

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sorry, that we have bound up our own Interests so entirely with that of our Subjects, as that we refer it to the same Powers to take care of us, who are trusted to provide for them.

'We look upon you as wise, dispassionate Men, and good Patriots, who will raise up those Banks and Fences which have been cast down, and who will most reasonably hope, That the same Prosperity will again spring from those Roots, from which it hath heretofore and always grown; nor can we apprehend that you will propose any Thing to Us, or expect any Thing from Us, but what We are as ready to give, as You to receive.

'If you desire the Advancement and Propagation of the Protestant Religion, we have, by our constant Profession, and Practice of it, given sufficient Testimony to the World, that neither the Unkindness of those of the same Faith towards Us, nor the Civilities and Obligations from those of a contrary Profession, (of both which we have had an abundant Evidence) could, in the least Degree, startle us, or make us swerve from it: and nothing can be propos'd to manifest our Zeal and Affection for it, to which we will not readily consent. And we hope, in due Time, to propose somewhat to you for the Propagation of it, that will satisfy the World that we have always made it both our Care and Study, and have enough observ'd what is most likely to bring Disadvantage to it.

'If you desire Security for Those who, in these calamitous Times, either wilfully or weakly have transgress'd those Bounds which were prescribed, and have invaded each others Rights, We have left to you to provide for their Security and Indemnity, and in such a Way, as you shall think just and reasonable; and by a just Computation of what Men have done and suffer'd, as near as is possible, to take care that all Men be satisfy'd.

'If there be any crying Sin, for which the Nation may be involv'd in the Infamy that attends it, We cannot doubt but that you will be as solicitous to redeem it, and vindicate the Nation from the Guilt and Infamy, as We can. If you desire that Reverence and Obedience may be paid to the fundamental Laws of the Land, and that Justice may be equally and impartially administer'd to all Men, it is that which We desire to be sworn to Ourself, and that all Persons in Power and Authority should be so too. In a word, there is Nothing that you can propose that may make the Kingdom happy, which we will not content with you to compass; and, upon this Confidence and Assurance, We have thought fit to send you this Declaration, that you may, as much as is possible at this

'Distance

Distance, see our Heart, which, when God shall bring us nearer together (as we hope he will do shortly) will appear to you very agreeable to what we have profess'd; and we hope that we have made that right Christian Use of our Afflictions, and that the Observation and Experience we have had in other Countries have been such, as that we, and we hope all our Subjects, shall be the better for what we have seen and suffer'd. Anno 12 Car. II. 1660.

'We shall add no more but our Prayers to Almighty God that he will bless your Counsels, and direct your Endeavours, that his Glory and Worship may be provided for, and the Peace, Honour and Happiness of the Nation may be establish'd on those Foundations which can best support it. And so we bid you farewel.'

His Majesty's Declaration from Breda. The King's Declaration.

IF the general Distraction and Confusion, which is spread over the whole Kingdom, doth not awaken all Men to a Desire, and Longing, that those Wounds, which have so many Years together been kept bleeding, may be bound up, all We can say will be to no Purpose. However, after this long Silence, We have thought it our Duty to declare how much We desire to contribute thereunto: And That, as we can never give over the Hope, in good Time, to obtain the Possession of that Right, which God and Nature hath made our Due; so We make it our daily Suit to the Divine Providence, that He will, in Compassion to Us and our Subjects, after so long Misery and Sufferings, remit, and put Us into a quiet and peaceable Possession of that our Right, with as little Blood and Damage to our People as is possible; nor do we desire more to enjoy what is Ours, than that all our Subjects may enjoy what by Law is Theirs, by a full and entire Administration of Justice throughout the Land, and by extending our Mercy where it is wanted and deserv'd. And to the end that Fear of Punishment may not engage any, conscious to themselves of what is past, to a Perseverance in Guilt for the future, by opposing the Quiet and Happiness of their Country, in the Restoration both of King, and Peers, and People to their just, ancient and fundamental Rights; We do by these Presents declare, *That We do grant a free and general Pardon, which We are ready, upon Demand, to pass under our Great Seal of England, to all our Subjects of what Degree or Quality soever, who within Forty Days after the Publishing hereof, shall lay hold upon this our Grace and Favour, and shall by any publick Act declare their doing so, and that they return to the Loyalty and Obedience of good Subjects*, excepting only such Persons as shall here-

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hereafter be excepted by Parliament. Thoſe only excepted, let all our Subjects, how faulty ſoever, rely upon the Word of a King, ſolemnly given by this preſent Declaration, *That no Crime whatſoever committed againſt Us, or our Royal Family, before the Publication of this, ſhall ever riſe in Judgment, or be brought in Queſtion, againſt any of them, to the leaſt Indamagement of them, either in their Lives, Liberties, or Eſtates,* or (as far forth as lies in our Power) ſo much as to the Prejudice of their Reputations, *by any* Reproach or Terms of Diſtinction *from the reſt of our beſt Subjects; We deſiring and ordaining, That, henceforward, all Notes of Diſcord, Separation, and Differences of Parties, be utterly aboliſh'd among all our Subjects; whom We invite and conjure to a perfect Union among Themſelves, under our Protection, for the Reſettlement of Our juſt Rights, and Theirs, in a Free Parliament; by which, upon the Word of a King, We will be adviſed.* And becauſe the Paſſion and Uncharitableneſs of the Times have produced ſeveral Opinions in RELIGION, by which Men are engag'd in Parties and Animoſities againſt each other; which, when they ſhall hereafter unite in a Freedom of Converſation, will be compoſed, or better underſtood; We do declare *a Liberty to tender Conſciences; and that no Man ſhall be diſquieted, or called in queſtion for Differences of Opinion in Matters of Religion,* which do not diſturb the Peace of the Kingdom; *and that We ſhall be ready to conſent to ſuch an Act of Parliament, as, upon mature Deliberation, ſhall be offer'd unto Us, for the full granting that Indulgence.* And becauſe, in the continu'd Diſtractions of ſo many Years, and ſo many and great Revolutions, many Grants and Purchaſes of Eſtates have been made to and by many Officers, Soldiers, and others, who are now poſſeſſed of the ſame, and who may be liable to Actions at Law, upon ſeveral Titles; We are likewiſe willing, *That all ſuch Differences, and all Things relating to ſuch Grants, Sales, and Purchaſes, ſhall be determined in Parliament; which can beſt provide for the juſt Satisfaction of all Men who are concern'd.* And we do further declare, *That We will be ready to conſent to any Act or Acts of Parliament to the Purpoſes aforeſaid, and for the full Satisfaction of all Arrears due to the Officers and Soldiers of the Army under the Command of General Monk; and that they ſhall be receiv'd into Our Service upon as good Pay and Conditions as they now enjoy.*'

The next Day after the Receipt of this Letter and Declaration the Commons proceeded to prepare an Anſwer to both; on which Occaſion ſome of the Members had Spirit and Prudence enough to propoſe certain Articles on the Model of thoſe ſign'd at Killingworth by Henry III. which

the

he King should be oblig'd to swear to, as the Conditions of his Restoration: But the Spring-Tide of Zeal and Loyalty eth within doors and without, running too fiercely to be withstood, and the popular Cry being, *That they had proceed too far already in their Vote upon the Receipt of the Letter to fall back again, and offend the King with colder Expressions of their Duty*; these wholesome Precautions were, after two Days Debate, given up, and the Result was the following unreserved and courtly Letter:

Most Royal Sovereign,

'We your Majesty's most loyal Subjects the Commons of England, assembled in Parliament, do, with all Humbleness, present unto your Majesty the unfeigned Thankfulness of our Hearts for those gracious Expressions of Piety and Goodness, and Love to us and the Nations under your Dominions, which your Majesty's Letter of the 14th of April, dated from Breda, together with the Declaration inclosed in it, of the same Date, do so evidently contain. For which we do, in the first Place, look up to the great King of Kings, and bless his Name who hath put these Things into the Heart of our King, to make him glorious in the Eyes of his People: As those great Deliverances which that divine Majesty hath afforded unto your Royal Person from many Dangers, and the Support which he hath given to your heroic and princely Mind under various Tryals, make it appear to all the World that you are precious in his Sight. And give us Leave to say, that as your Majesty is pleased to declare your Confidence in Parliaments, your Esteem of them, and this your Judgment and Character of them, that they are so necessary for the Government of the Kingdom, that neither Prince nor People can be in any tolerable Degree happy without them, and therefore say that you will hearken to their Councils, be tender of their Privileges, and careful to preserve and protect them; so we trust, and, with all Humility, be bold to affirm, that your Majesty will not be deceived in us, and that we will never depart from that Fidelity which we owe unto your Majesty, that Zeal which we bear unto your Service, and constant Endeavour to advance your Honour and Greatness.

The Commons Reply.

'And we beseech your Majesty we may add this farther for the Vindication of Parliaments, and even of the last Parliament, convened under your Royal Father of happy Memory, when, as your Majesty well observes, through Mistakes and Misunderstandings, many Inconveniencies were produc'd which were not intended, that those very Inconveniencies could not have been brought upon us by those Persons who had design'd them without violating the Parliament. For they well knew it was not possible to do

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a Violence to that ſacred Perſon whilſt the Parliament which had vow'd and covenanted for the Defence and Safety of that Perſon, remain'd entire. Surely, Sir, as the Perſons of our Kings have ever been dear unto Parliaments, ſo we cannot think of that horrid Act committed againſt the precious Life of our late Sovereign but with ſuch a Deteſtation and Abhorrency as we want Words to expreſs it; and, next to wiſhing it had never been, we wiſh it may never be remember'd by your Majeſty, to be unto you as an Occaſion of Sorrow, as it will never be remembered by us but with that Grief and Trouble of Mind which it deſerves, being the greateſt Reproach that ever was incurr'd by any of the Engliſh Nation, an Offence to all the Proteſtant Churches abroad, and a Scandal to the Profeſſion of the Truth of Religion here at home; though both Profeſſion and true Profeſſors, and the Nation itſelf, as well as the Parliament, were moſt innocent of it, it having been only the Contrivance and Act of ſome few ambitious and bloody Perſons, and ſuch others as by their Influence were miſled. And as we hope and pray that God will not impute the Guilt of it, nor of all the evil Conſequences thereof, unto the Land, whoſe divine Juſtice never involves the Guiltleſs with the Guilty, ſo we cannot but give due Praiſe to your Majeſty's Goodneſs, who are pleaſed to entertain ſuch reconcil'd and reconciling Thoughts, and with them not only meet, but as it were prevent your Parliament and People, propoſing yourſelf in a great meaſure, and inviting the Parliament to conſider farther and adviſe your Majeſty what may be neceſſary to reſtore the Nation to what it hath loſt, raiſe up again the Banks and Fences of it, and make the Kingdom happy by the Advancement of Religion, the Security of our Laws, Liberties, and Eſtates, and the removing all Jealouſies and Animoſities which may render our Peace leſs certain and durable. Wherein your Majeſty gives a large Evidence of your great Wiſdom; judging aright, that, after ſo high a Diſtemper, and ſuch an univerſal Shaking of the very Foundations, great Care muſt be had to repair the Breaches, and much Circumſpection and Induſtry uſed to provide Things neceſſary for the ſtrengthning thoſe Repairs, and preventing whatever may diſturb or weaken them.

'We ſhall immediately apply ourſelves to the preparing of theſe Things; and, in a very ſhort Time, we hope to be able to preſent them to your Majeſty; and, for the preſent, do, with all humble Thankfulneſs, acknowledge your Grace and Favour, in aſſuring us of your Royal Concurrence with us, and ſaying, that we ſhall not expect any Thing from you but what you will be as ready to give as

e to receive; and we cannot doubt of your Majesty's effe- Anno 12 Car. II. 1660.
ual Performance, since your own princely Judgment hath rompted unto you the Necessity of doing such Things, and our Piety and Goodness hath carried you to a free Tender f them to your faithful Parliament. You speak as a gra- ous King, and we will do what befits dutiful, loving and yal Subjects, who are yet more engaged to honour and ghly esteem your Majesty for your declining, as you are eased to say, all foreign Assistance, and rather trusting to our People, who, we do assure your Majesty, will and do en, their Arms and their Hearts to receive you, and will are neither their Estates nor their Lives when your Service all require it of them.

'And we have yet more Cause to enlarge our Praise and r Prayers to God for your Majesty, that you have conti- ed unshaken in your Faith, that neither the Temptation Allurements, Persuasions and Promises from seducing pists on the one hand, nor the Persecution and hard U- re of some seduc'd and misguided Professors of the Pro- stant Religion on the other hand, could at all prevail on ur Majesty to make you forsake the Rock of Israel, the od of your Fathers, and the true Protestant Religion in hich your Majesty hath been bred, but have still been as a ock to yourself, firm to your and our God, even now ex- essing your Zeal and Affection for the Protestant Religion, d your Care and Study for the Propagation thereof. This th been a Rejoicing of Heart to all the Faithful of the nd, and an Assurance to them that God would not forsake u; but, after many Trials, which should but make you re precious, as Gold out of the Fire, would restore your ajesty to your Patrimony, and People with more Splendor d Dignity, and make you the Glory of Kings and the y of your Subjects; which is and ever shall be the Prayer your Majesty's most loyal Subjects the Commons of gland, assembled in Parliament.

Sign'd, HARBOTTLE GRIMSTONE, *Speaker.*

The Letter being engross'd and sign'd, Sir John Green- was appointed to attend the House; and being conducted he Bar, the Speaker stood up, and thus address'd himself him: *I need not tell you with what grateful Hearts the Com- s have received his Majesty's gracious Letter; you yourself g an Ear and Eye-Witness of it: Our Bells and our Bonfires e already began the Proclamation of his Majesty's Goodness, of our Joys: We have told the People,* That our King, the ory of England, is coming home again, *and they have re- ded it back in our Ears,* That they are ready, and that ir Hearts are ready to receive Him: *Both Parliament and* Thanks given to Sir John Greenvil.

Anno 12 Caroli II. 1660.

People have cry'd aloud to the King of Kings in their Prayers, Long live King Charles the Second! I am likewise to tell you, That the House do not think fit that you return back to our Royal Sovereign without some Testimony of our Respects to yourself; and therefore have ordered that Five Hundred Pounds shall be deliver'd to you to buy you a Jewel, as a Badge of that Honour which is due to a Person whom the King has honour'd with so gracious a Message: And I am commanded in the Name of the House to return you their very hearty Thanks.

The next great Affair that took up the Attention of the House was, in conjunction with the Lords, to proclaim the King, which was done in the following Form, as agreed upon in a Conference between the Two Houses.

The Proclamation.

'Altho' it can no way be doubted but that his Majesty's Right and Title to his Crown and Kingdoms, is, and was every way compleated by the Death of his most Royal Father of glorious Memory, without the Ceremony or Solemnity of a Proclamation; yet, since Proclamations in such Cases have been always used, to the End that all good Subjects might upon this Occasion testify their Duty and Respect; and since the armed Violence, and other the Calamities of many Years last past, have hitherto deprived us of any such Opportunity, whereby we might express our Loyalty and Allegiance to his Majesty: We therefore the Lords and Commons now assembled in Parliament, together with the Lord-Mayor, Aldermen, and Commons of the City of London, and other Free Men of this Kingdom now present, do, according to our Duty and Allegiance, heartily, joyfully, and unanimously proclaim, *That immediately upon the Decease of our last Sovereign Lord King Charles, the Imperial Crown of the Realm of England, and of all the Kingdoms, Dominions, and Rights belonging to the same, did, by Inherent Birth-Right and Lawful Undoubted Succession, descend and come to his most Excellent Majesty Charles the Second, as being Lineally, Justly, and Lawfully next Heir of the Blood Royal of this Realm; and that by the Goodness and Providence of Almighty God, He is, of England, Scotland, and Ireland, the most Potent, Mighty, and Undoubted King; and thereunto We most humbly and faithfully submit, and oblige our Selves, Our Heirs, and Posterity for ever.* God save the King.'

Soon after this the two Houses sent over a Deputation to the King to invite him home, which, on the Side of the Commons, was accompany'd with large * Presents in Money, both to his Majesty and his two Brothers, the Dukes of York and Gloucester. The Instructions given to the Commissioners on this unprecedented Occasion are as follow:

Instructions

* 50,000 *l.* to the King; 10,000 *l.* to the Duke of York; and 5000 *l.* to the Duke of Gloucester.

*Instructions for Aubrey Earl of Oxford, Charles Earl of Warwick, Lyonel Earl of Middleſex, Leiceſter Viſcount Hereford, George Lord Berkeley, Robert Lord Brooke, the Lord Herbert, the Lord Mandeville, the Lord Bruce, the Lord Gaſtleſton, the Lord Falkland, the Lord Fairfax, * Denzill Holles Eſq; Sir Horatio Townſend, Sir John Holland, † Sir Anthony Aſhley-Cooper, Sir George Booth, and Sir Henry Cholmley.*

Anno 1660.

Inſtructions to the Committee.

YOU are to begin your Journey towards his Majeſty on ‖ Friday next, and make a ſpeedy Repair to ſuch Place where his Majeſty ſhall be, and humbly to preſent the Letters wherewith you are reſpectively intruſted by both Houſes of Parliament. ‖ 18 May, 1660.

You are to acquaint his Majeſty with what great Joy and Acclamation he was proclaimed, in and about the Cities of London and Weſtminſter, upon the Eighth Day of May inſtant, and preſent the Proclamation itſelf to his Majeſty; and to acquaint him with the Orders of both Houſes to have the ſame proclaimed throughout the Kingdoms of England and Ireland, Dominion of Wales, and the Town of Berwick upon Tweed; and that both Houſes have ordered, *That all and every the Miniſters throughout the Kingdoms of England and Ireland be enjoined in their public Prayers to pray for his moſt Excellent Majeſty, and for the moſt Illuſtrious Prince James Duke of York, and the reſt of the Royal Progeny.* And alſo that they have ordered, *That the aſſumed Arms of the late pretended Commonwealth, wherever they are ſtanding, be taken down, and that his Majeſty's Arms be ſet up in ſtead thereof*: And you are to communicate to his Majeſty the Reſolutions of both Houſes relating to this Inſtruction.

You are to acquaint his Majeſty with the earneſt Deſire of both Houſes, That his Majeſty will be pleaſed to make a ſpeedy Return to his Parliament, and to the Exerciſe of his Kingly Office, and that in order thereunto both Houſes have given Directions to General Montague, one of the Generals at Sea, and other Officers of the Fleet, to obſerve ſuch Commands as his Majeſty ſhall pleaſe to give him or them for diſpoſal of the Fleet, in order to his Majeſty's Return: and you are to communicate to his Majeſty the Reſolutions of both Houſes relating to this Inſtruction.

That the Committee from both Houſes do beſeech his Majeſty that they may know where he purpoſeth to take Shipping, and to land at his coming over, that Preparation may be made for his Reception; and which of his Majeſty's Houſes he intendeth to make uſe of at his firſt coming to London, and whether he will come all the Way by Land

* *Afterwards made Lord Holles in the ſame Reign, and ſent Ambaſſador to France.* † *Afterwards Earl of Shaftsbury and Lord Chancellor.*

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after he comes on Shore, or whether he will please to come by Water from Gravesend to London; and that his Majesty will declare in what Manner he is pleased to be receiv'd.

Will. Jessop, Cl. of the Commons House of Parliament.

Mr. Denzil Holles to the King at Breda.

The Speech * made thereupon by the Honourable Denzil Holles Esq; one of the Commissioners.

Dread Sovereign,

YOur faithful Subjects the Commons of England, assembled in Parliament, have sent us hither, Twelve of their Number, to wait upon your Majesty, and, by their Commands, we are here prostrate at your Royal Feet, where themselves are all of them present with us in the sincere and most loyal Affections and Desires of their Hearts, and would have been in their Persons, if your Majesty's Service, and the Trust reposed in them by all the several Parts of the Kingdom did not necessarily require their Attendance and Continuance in the Place where they now are, and where all their Thoughts and Endeavours are wholly taken up and employed in those two great and main Works, which are the proper and genuine Ends of all Parliaments, the Advancement of their King's Service, and the Discharge of their Country's Trust.

And certainly, Sir, we can speak it with a great deal of Joy, and with no less of Truth, that never Parliament made greater Demonstrations of Zeal, Affection and Loyalty to any of the Kings of England than this Parliament hath done, and doth, and we hope, and doubt not, nay we know it, that it ever will do unto your Majesty, our Liege Lord and King. Their Hearts are filled with a Veneration of you, Longings for you, Confidence in you, and Desires to see and serve you; and their Tongues do, upon all Occasions, express it, and in so doing they are (according to the Nature of Parliaments) the true Representative of the whole Nation; for they but do that in a more contracted and regular Way, which the Generality of the People of the Land, from one End of it to the other, do in a more confused and disorderly Manner, yet as heartily and as affectionately, all Degrees, and Ages, and Sexes, high and low, rich and poor (as I may say) Men, Women, and Children, join in sending up this Prayer to Heaven, God bless King Charles! long live King Charles! So as our English Air is not susceptible of any other Sound, and echoes out nothing

* *Ludlow, and after him Oldmixon, give us to understand that Mr. Holles was interrupted in the Delivery of this Speech by Mr. H. Howard Brother to the Earl of Arundel, who insisted that the Honour of being Spokesman belonged to another of the Commissioners; but Mr. Holles had the Spirit to proceed notwithstanding.*

nothing else; our Bells, Bonfires, Peals of Ordnance, Anno 12 Caroli. 1660.
Volleys of Shot, the Shouts and Acclamations of the People, bear no other Moral, have no other Signification but to triumph, in the Triumphs of our King in the Hearts of his People.

Your Majesty cannot imagine nor can any Man conceive it but he who was present to see and hear it, with what Joy, what Chearfulness, what lettings out of the Soul, what Expressions of transported Minds, a stupendous Concourse of People, attended the Proclaiming of your Majesty, in your Cities of London and Westminster, to be our most potent, mighty, and undoubted King: The oldest Man living never saw the like before, nor is it probable, scarce possible, that he who hath longest to live will ever see the like again, especially (and God forbid he should) upon such an Occasion, for we wish and heartily pray that your Majesty may be the last of Men of the Generation now in being, who shall leave his Place to a Successor.

We have here the Proclamation itself to present unto your Majesty and the Order of the two Houses enjoining it to be proclaimed throughout England, Ireland, and your Dominions of Wales; and, likewise, their Orders for all Ministers in their public Prayers to pray for your Majesty, and for the Illustrious Prince the Duke of York your Majesty's Brother, and for the rest of the Royal Progeny; and another Order of theirs for taking down every where the assumed Arms of the late pretended Commonwealth, and setting up the Arms of your Majesty in their stead.

[Here he tendred the Proclamation and the several Orders unto his Majesty, offered to read them, but then said, he thought that his Majesty had already received them from the Lords, and that, therefore, it would be but a Trouble to his Majesty to hear them again. To which his Majesty answering, that he had received them, was pleased further to enlarge himself in some Discourse to this effect; expressing his Sense of the Miseries which his People had suffered under those unlawful Governors which had ruled over them, and of his Gladness for their returning unto him, with those good Affections, which they now shewed towards him; adding, that he had always made it his Study, and ever would, to make them as happy as himself; which was the Sum and Substance of what his Majesty said.]

To which was reply'd, with humble Thanks for those gracious Expressions, That his Majesty would ever find both Parliament and People to be full of Loyalty and Obedience unto his Majesty; as his Majesty was of Grace and Goodness towards them. And then he went on with his Speech, relating

Anno 12 Car. II. relating to thoſe Orders and Proceedings of Parliament; 1660. and ſaid,]

Theſe are ſome Teſtimonies of their Love and Affection unto your Majeſty, ſuch as can as yet be expreſſed by them, which are but as a Picture in little, of a great and large Body, which far exceeds in its true and natural Dimenſions, the whole Compaſs of a ſmall Piece of Cloth, on which, notwithſtanding, it is drawn and repreſented to the Life.

And may it pleaſe your Majeſty to give us leave to ſay, that as the Affection, ſo your Subjects Expectations of you are high, and their Longings after you great and vehement. And both Expectations and Longings have increaſed by the long Time that your Majeſty hath been kept from them. Hope deferred makes the Heart ſick; and the Sickneſs ſtill augments till the Thing hoped for be obtained.

You who are the Light of their Eyes, and the Breath of their Noſtrils, their Delight and all their Hope, to have been ſo long baniſhed from them into a ſtrange Land, it is no wonder that the News of your Return ſhould put a new Life into them: What then will it be when their Eyes ſhall be bleſſed with the Sight of your Royal Perſon? And, therefore, are we commanded humbly to acquaint your Majeſty with the earneſt Deſires of both Houſes for your ſpeedy Return unto your Parliament, and the Exerciſe of your Kingly Office; and that, in order to it, they have given Directions to General Montague one of the Generals at Sea, and to the other Officers at Sea, to obſerve ſuch Commands, as your Majeſty ſhall pleaſe to give them for the Diſpoſal of the Fleet: And we have it in our Inſtructions further to beſeech your Majeſty to let your Parliament know when, and where, your Majeſty purpoſeth to take ſhipping, and where to land; and after your coming on ſhore, whether to come all the way to London by Land, or by Water from Graveſend; and which of your Houſes your Majeſty intends to make uſe of at your coming to London; that, accordingly, Proviſion may be made for your Majeſty's Reception: For then, and, not till then, will be the Compleating of your Subjects Rejoycing.

True it is (as your Majeſty was pleaſed juſt now to touch upon it) that, in your Abſence, other Lords have had Dominion over them, have reigned and ruled over their Bodies, and Eſtates; but their better Part, their Hearts and Minds and Souls were free, and did abhor ſuch Rulers, and ſtill continued faithful and loyal to your Majeſty, their rightful Lord and Sovereign; and with you, and under you, they now expect to re-enter into the Poſſeſſion of their antient Rights, and Privileges, to enjoy again their Laws, and Liberties: and, which is above all, their Religion in

Purity,

Purity, and Truth) of all which these Lords (who called themselves so, and made themselves so, that is, so be it called, but in truth were not so, for they were nothing less) those kind of Lords, I say, had so long deprived them. This is our Expectation from your Majesty, and we are more than confident, we shall not be deceived in it, but that your Majesty will answer and go beyond all that can be expected from you: A King of so many Vows, and of so many Prayers, cannot but crown the Desires of his People.

Sir, to tell you what Men think, and say, and wish, and even are assured of in relation to your Majesty and the Happiness which your Government will produce, would seem a Description of the Golden Age, that Poets fancy.

Truly we dare not undertake it, in your Majesty's Presence, lest we should be thought to flatter, and should offend the sacred Modesty of your Ears, and of your princely Mind. Though it would all be but a real Truth; yet looking like that, which you do not like, we fear you would dislike it for the Look's sake; Great Princes will not be flattered, but really, and truly served, and we desire to serve your Majesty in your own Way.

Your Majesty hath been pleased to declare your Royal Intentions unto your Parliament, in your gracious Letters to either House, and the two Houses have severally given unto your Majesty a faithful Account of that grateful Sense, wherewith they have received them, and of their humble Submission unto and Compliance with, all your Majesty's Desires, which by their Letters, in answer unto your Majesty's, they make bold to signify. That from the House of Peers hath been already presented, and we who are before your Majesty, are intrusted by the House of Commons with the Delivery of theirs; an Honour not more conferred upon us beyond our Deservings, than embraced and received by us, with an Excess of Joy, and with all due Respect, which is the Errand upon which we are now come. That Letter and the Proclamation and the several Orders, together with Ourselves, our Lives and Fortunes, and the Vows and Services of those who sent us, we do with all Humbleness lay at your Majesty's Feet, lifting up our Hearts and Hands to the God of Heaven, for your Majesty's long and happy Reign over us, and speedy Return unto us.

16 May, 1660.

The Proceedings of the Parliament, with Respect to a general Pardon.

While the King was yet upon his Return, the Commons proceeded in preparing a Bill for a general Pardon, with Exception nevertheless to all the surviving Regicides, as likewise the dead Bodies of Bradshaw, Cromwell, Ireton, and

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and Pride: Notwithſtanding which, Mr. Lenthall, (perhaps he that was Speaker to the great Parliament) giving ſo far into the new-rais'd Spirit of Loyalty, as to ſay in the Houſe, *He that firſt drew his Sword againſt the late King, committed as great an Offence as he that cut off his Head*; it kindled ſuch a Flame of Reſentment, that he was immediately order'd into Cuſtody of the Serjeant at Arms, and by Order of the Houſe, received at the Bar, the following Reprimand from the Speaker:

Mr. Lenthall reprimanded by the Speaker.

Sir, the Houſe has taken very great Offence at ſome Words you have let fall upon the Debate of this Bill of Indemnity; which, in the Judgment of the Houſe, contain as high a Reflection on the Juſtice and Proceedings of the Lords and Commons of the laſt Parliament, in their Actings before 1648, *as cou'd be expreſs'd. They apprehend there is much of Poiſon in the ſaid Words; and that they were ſpoken out of deſign to inflame, and to render them, who drew the Sword to bring Delinquents to Puniſhment, and to vindicate their juſt Liberties, into Balance with them who cut off the King's Head: Of which All they expreſs their Abhorrence and Deteſtation; appealing to God, and their Conſciences bearing them witneſs, That they had no Thoughts againſt his Perſon, much leſs againſt his Life. Therefore I am commanded to let you know, that had theſe Words fallen out at any other Time in this Parliament, but when they had Conſiderations of Mercy, Pardon and Indemnity, you might have expected a ſharper and ſeverer Sentence than I am now to pronounce. But the Diſpoſition of his Majeſty is to Mercy; he hath invited his People to accept of it; and it is the Diſpoſition of the Body of this Houſe to be Healers of Breaches, and to hold forth Mercy to Men of all Conditions, ſo far as may ſtand with Juſtice and Juſtification of themſelves before God and Man. I am therefore commanded to let you know, That that being their Diſpoſition, and the preſent Subject of this Day's Debate being Mercy, you ſhall therefore taſte of Mercy. Yet I am, according to Command, to give you a ſharp Reprehenſion, and I do as ſharply and ſeverely as I can, reprehend you for it.*

Within two Days after his Arrival, the King made his Appearance for the firſt time in the Houſe of Lords, and the Commons, with their Speaker, likewiſe, attending, his Majeſty made a ſhort Speech, ſignifying the Cauſe of his Coming, *viz.* To paſs the Bills prepared for him, which were of great Importance; as firſt, *An Act for conſtituting the then Convention to be a Parliament.* 2dly, *Another to continue the Tax of* 70,000 *l.* per Menſem, *for three Months longer.* And a third *for Continuance of Proceſs and all Judicial Proceedings.* Which being paſs'd, the Lord-Chancellor in a handſome Speech told both Houſes, 'With how much Readineſs his Majeſty had paſs'd theſe important Acts, and how willing they ſhould at all times hereafter find him,

Lord Chancellor Hyde's Speech to both Houſes.

him, to paſs any other that might tend to the Advantage and Benefit of the People; in a particular Manner deſiring, in his Majeſty's Behalf, That the Bill of Oblivion, in which they had made ſo good a Progreſs, might be expedited: That the People might ſee and know his Majeſty's extraordinary gracious Care to eaſe and free them from their Doubts and Fears; and that he had not forgotten his gracious Declaration made at Breda, but that he wou'd in all Points make good the ſame.' Anno 12 Car. II. 1660.

What next employ'd the Houſe was the Act of Indemnity, the Disbanding the Army, and the ſettling the Public Revenues: In the firſt of which they thought proper to include themſelves; making a Reſolution in Form, 'That 'the Houſe doth declare, that they do, in the Name of 'themſelves and all the Commons of England, lay hold on 'his Majeſty's gracious Pardon mention'd in his Declara-'tion, with reference to the excepting of ſuch as ſhall be 'excepted in an Act of Pardon!' Which Reſolution of theirs was preſented to his Majeſty, at the Banqueting-Houſe in the Name of the Houſe, by the Hand of Mr. Denzil Holles.

Such Difficulties however occurr'd in the Act of Oblivion, and ſuch Advantages were taken of the Delay in ſeveral Pamphlets publiſh'd at that Time, which inſinuated, that the King's Promiſes at Breda, were not to be depended upon; that his Majeſty thought himſelf obliged to quicken their Reſolutions by a Meſſage to the Houſe, which was delivered by Secretary Morrice, to the following Effect: 'He, the King, had too ample a Manifeſta-'tion of their Affections and Duty towards him, to make 'the leaſt Doubt of the Continuance and Improvement there-'of, or in the leaſt degree to diſlike what they had done, 'or to complain of what they had left undone. He knew 'well the Weight of thoſe Affairs which depended upon 'their Counſels, and the Time that muſt unavoidably be 'ſpent, where there muſt be naturally Difference of Opini-'ons and Judgments amongſt thoſe, whoſe Deſires of the 'Public Peace and Safety were the ſame. And that nei-'ther He nor They muſt be overmuch troubled, if they 'found the good Intentions and unwearied Pains, taken to 'reduce thoſe good Intentions into real Acts, for the Quiet 'and Security of the Nation, miſrepreſented, and miſ-inter-'preted, by thoſe who are in truth much afflicted to ſee the 'public Diſtractions, by God's Bleſſing, ſo near an end; 'and by others upon whoſe Weakneſs, Fears and Jealouſies, 'the Activity and Cunning of thoſe ill Men hath had too 'great an Influence. 'That how wonderful and miraculous 'ever the great Harmony of Affections between him and

The King's Meſſage, relating to the general Pardon.

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his Subjects is; yet it is not to be thought that God Almighty had wrought that Miracle to that degree, that a Nation so miserably divided for so many Years, wou'd be so soon and entirely united in their Affections and Endeavours, as were to be wished; but that the evil Consciences of many continu'd so awake for Mischief, that they would not be willing to take Rest themselves, or suffer others to take it: That they all had too sad Experience of the unhappy Effects of Fears and Jealousies, how groundless and unreasonable soever, not to think it very necessary to apply all timely and proper Remedies to those Distempers, and to prevent the Inconveniences and Mischiefs which so naturally flow from thence: That he well foresaw, that the great Violation, which the Laws of the Land had for so many Years sustain'd, had fill'd the Hearts of the People with terrible Apprehensions of Insecurity to themselves, if all they had said and done shou'd be liable to be examin'd and punish'd by those Laws which had been so violated. And that nothing cou'd establish the Security of King and People, but a full Provision, that the returning to the Reverence and Obedience of the Law, which is good for All, shou'd not turn to the Ruin of any who were willing and fit to receive that Protection hereafter from the Law, and to pay that Subjection to it, which were just and necessary. And therefore he made a free Offer of a general Pardon, in such a manner as was expres'd in his Declaration; and how ready and desirous he was to make good the same, appear'd by his Proclamation issu'd out upon and according to their Desire. However, it was evident, That all he had offer'd or did offer, did not enough compose the Minds of the People; nor in their Opinions could their Security be provided for, till the Act of Indemnity and Oblivion was pass'd.' He told them, 'He had found great Industry used to persuade his good Subjects, that he had no mind to make good his Promises, which he desired to perform for his own sake as well as theirs. Therefore he did very earnestly recommend it to them, That all Expedition might be used in the passing that most necessary Act, whereby his good Subjects generally wou'd be satisfy'd, that their Security was in their own Hands, and depended upon their future Actions, and that they were free for all past; and so the Endeavours of ill Men wou'd be disappointed, who wou'd persuade them not to do well now, because they had done amiss heretofore. And that he was the more engag'd to this Recommendation, because upon the Reflection of their eminent Zeal and Affection for his Service, and hearty Concurrence with him in all things desired from them, Men were apt to persuade others, tho' not believing it themselves

themſelves, That the paſſing this Act was therefore not deſired, becauſe he did not enough preſs the Diſpatch of it; which he did deſire from his Heart, and was confident they would the ſooner do it, upon his earneſt Recommendation.' Anno 13 Car. II. 1661.

To this ſucceeded a ſecond Meſſage to both Houſes, which, as it appears, took its riſe from ſome inſinuating Advices given to his Majeſty from the Houſe of Peers, which will be beſt explain'd by the King's own Words, viz. 'His Majeſty is well-inform'd of the Value of thoſe Conceſſions, which are to paſs in the Act of Indemnity, which relate entirely to his Majeſty's Profits, and which have little or no Relation to the War: He knows well that the Arrears of the Wars, the Alienations with Licenſe, Purveyance, Reſpite of Homage, the Arrears of the Rents ſtill in the hands of the Tenants, and the other Particulars, amount to a vaſt great Sum; all which are releas'd and diſcharg'd by this Act. But his Majeſty is ſo well ſatisfy'd of the good Affection of the Houſe of Commons, and of their Intentions and Reſolutions to ſettle ſuch a Revenue upon his Majeſty, as may preſerve the Crown from Want, and from being undervalu'd by its Neighbours; that he is reſolv'd not to inſiſt upon any Particular, which the Houſe of Commons deſir'd his Majeſty ſhou'd releaſe; and therefore as his Majeſty thanks the Houſe of Peers for the Information they have given him, and for the Care they have expreſs'd for his Majeſty's Profit, ſo he is well contented that that Clauſe ſhall paſs in ſuch a manner as the Houſe of Commons have ſet down; and continues his earneſt Deſires, that all Expedition be uſed in paſſing the ſaid Act in the manner he hath formerly expreſs'd.' A ſecond Meſſage, releaſing all Arrears to the Crown.

His Majeſty had not only the Thanks of the Houſe for this obliging Meſſage, but they immediately order'd, 'That Ways and Means ſhould be conſider'd for the ſettling ſuch a Revenue on his Majeſty, as may maintain the Splendor and Grandeur of the King's Office, &c.'

After ſeveral Conferences between the two Houſes, the Bill of Indemnity being at length prepar'd, as likewiſe certain others; as, That, for a Confirmation of judicial Proceedings; Another to pay the Arrears of the Fleet and Army, by a Poll-Tax; a third to reſtrain Uſury; and a fourth for a perpetual Thankſgiving on the 29th of May, to commemorate the Reſtoration; his Majeſty came to the Houſe of Peers, and from the Throne, deliver'd the following artful Speech.

'My Lords, and Gentlemen of the Houſe of Commons,

I Have been here ſometimes before with you, but never with more Willingneſs, than I am at this time. And The King's Speech.

Anno 12 Car. II. 1660.

there are few Men in the Kingdom have longed more impatiently to have those Bills past'd, than I have done to pass them; and I hope they will be the Foundation of Peace and Security to us all. I do very willingly pardon all that are pardon'd by this Act of Indemnity, to that Time which is mention'd in the Bill: Nay, I will tell you, That, from that Time to this Day, I will not use great Severity, except in such Cases where the Malice is notorious, and the Public Peace exceedingly concern'd. But for the Time to come, the same Discretion and Conscience, which dispos'd me to the Clemency I have expres'd (which is most agreeable to my Nature) will oblige me to all Rigour and Severity, how contrary soever it be to my Nature, towards those who shall not now acquiesce, but continue to manifest their Sedition and Dislike of the Government, either in Actions or Words. And I must conjure you all, my Lords and Gentlemen, to concur with me in this just and necessary Severity; and that you will, in your several Stations, be so jealous of the Public Peace and of my particular Honour, that you will cause exemplary Justice upon those who are guilty of seditious Speeches or Writings, as well as those who break out into seditious Actions: And that you will believe those who delight in reproaching and traducing my Person, not to be well-affected to you and the public Peace. Never King valu'd himself more upon the Affections of his People than I do: Nor do I know a better Way to make myself sure of your Affections, than by being just and kind to you all: And, whilst I am so, I pray let the World see, that I am possess'd of your Affections. For your Poll-Bill, I thank you as much as if the Money were to come into my own Coffers; and wish with all my Heart that it may amount to as great a Sum as you reckon upon.—I pray you very earnestly, as fast as Money comes in, to discharge that great Burden of the Navy, and disband the Army as fast as you can; and till you can disband the rest, make a Provision for their Supply. I do conjure you, as you love me, let me not hear the Noise of Free Quarter, which will be imputed to my want of Care and Government, how innocent soever I am. I am so confident of your Affections, that I will not move you in any thing that immediately relates to myself: And yet I must tell you, That I am not richer, that is, I have not so much Money in my Purse, as when I came to you. The truth is, I have liv'd principally ever since upon what I brought with me, which was indeed your Money; you sent it to me, and I thank you for it. The weekly Expence of the Navy eats up all you have given me by the Bill of Tonnage and Poundage; Nor have I been able to give my Brothers one Shilling

since

'since I came into England, nor to keep any Table in my House but where I eat myself. And that which troubles me most, is, to see many of you come to me at Whitehall, and to think you must go somewhere else to seek a Dinner. I do not mention this to you, as any thing that troubles me: Do but take care of the Publick, and for what is necessary for the Peace and Quiet of the Kingdom, and take your own Time for my own Particular, which I am sure you will provide for with as much Affection and Frankness as I can desire.'

Anno 12 Caroli 1660.

At the same time the Speaker, Sir Harbottle Grimstone, harangu'd his Majesty with a Speech, which, above all others, displays the new Turn that the Times had taken, as may be gather'd from the ensuing Passage, which may be call'd a Master-piece of Court-Rhetoric. 'There is another Bill intitled, an Act of Free and General Pardon, Indemnity, and Oblivion: It may well be called a free Pardon, for your Majesty was pleased to offer it before we had Confidence enough to ask it, and at a Time when your People had most need of it; and it may as truly be called a general Pardon in respect of the Extensiveness of it. But, looking over a long, black, prodigious, dismal Roll and Catalogue of Malefactors, we there met not with Men, but with Monsters, guilty of Blood, precious Blood, precious Royal Blood, never to be remember'd without Tears; incomparable in all kinds of Villanies that ever were acted by the worst of Miscreants, Perverters of Religion, Subverters of the Government, False to God, Disloyal to the best of Kings, and perfidious to their Country. And therefore we find an absolute and indispensible Necessity incumbent on us to except and set some apart for an Antidote to expel the Poison of Sin and Rebellion out of others, and that they may be made Sacrifices to appease God's Wrath, and satisfy Divine Vengeance.'

Part of the Speaker's Speech on passing the general Pardon.

After this the House, having received Intimation from his Majesty, that they were to have a speedy Recess, resolved to make good Use of the Time, taking first into Consideration the disbanding the still-formidable Army, and then the settling the Revenues of the Crown; on which last Head, wisely concluding that the Misfortunes of the late King were originally owing to Want of Money, (his whole Revenue, *communibus annis*, from the Year 1637 to 1641, amounting but to 895,819 l. and the present Revenue, together with the Composition for the Court of Wards, amounting to no more than 819,889 l.) they resolved to make a very considerable Addition; but, before they had brought this grand Affair to an Issue, seven or eight other Bills being ready for the Royal Assent, his Majesty came

Anno 1st Car. II. 1660.

The Speaker's Speech to the King.

came again to the House, and, on presenting the said Bills, was harangu'd by the Speaker as follows: "Sir, your Royal Favour and Fatherly Kindness unto your People hath naturalis'd their Affections to your Person, and their Obedience to your Precepts: And as it is their Duty, so it is their Desire to manifest and evidence the Truth and Reality thereof, by supporting and upholding that Grandeur and Splendor which is due to the Majesty of so meritorious a Prince as yourself; and therefore they have resolved, *nem. Contradicente*, and *Nemine Contradicente*, to make up your Majesty's constant and ordinary Revenue twelve hundred thousand Pounds *per Annum*. But finding, as to some Part of the Settlement of that Revenue, there will be a Necessity of making use of the Legislative Power; and that the Bills brought into the House for that purpose cannot possibly be made ready for your Royal Assent until the next Meeting of your Houses again, therefore they have taken your Majesty's present Supply into their Consideration; and first how to raise it in the most expeditious Way to answer your present Occasions. They have wrapt up their Affections to your Majesty, and the Trust reposed in them by the People, in one of these Bills here in my Hand, entitled, An Act for the speedy raising of a hundred thousand Pounds for a present Supply, to be levy'd by way of Land-Tax within the Space of one Month.—— Sir, they have likewise passed another Bill with Rules and Instructions how to empower and direct your Commissioners in what manner to disband your Army and Garrisons, and to pay off some Part of your Fleet, and to begin with the Ships now in Harbour. But not knowing for certain whether the Monies upon the Poll-Bill, which is designed for that Purpose, will be sufficient to defray that Charge, and being unwilling that any Thing should be wanting on their Parts to perfect so good a Work, so acceptable to your Majesty, and so grateful to all your People, they have passed another Act for raising a hundred and forty thousand Pounds, at seventy thousand Pounds *per Mensem*, to begin the first of November.—— Sir, there are other Bills likewise which wait and attend for your Royal Assent; one entitled, An Act for regulating the Bay Trade, which is the only Way to keep up the Credit of that which is now in some Danger to be lost: When the Credit of Trade begins to decline, the Trade itself decays with it, and is never long-liv'd after it.—— Sir, there is another Bill entitled, An Act for encouraging and encreasing Shipping and Navigation; which will enable your Majesty to give Laws to foreign Princes abroad, as your Royal Predecessors have done before you.—— Sir, there is another Bill, entitled, An Act

for

for restoring some Ministers to their Places, out of which they have been long and injuriously ejected and exposed, and for confirming others in vacant Places. Crazy Titles need your Majesty's Help, as much as crazy Bodies need the Help of a Physician: And what your Majesty hath already done in that kind to this Parliament, and what you are now about to do, and what you have ever express'd your Readiness in, if we cou'd be as ready as your Majesty is to give, we hope to banish all Fears and Jealousies out of Mens Minds for the future, and teach them with much Confidence and Contentedness to rest, and wholly rely upon your Majesty's Grace and Goodness, for what may be thought further necessary to be done hereafter, when a fitting Opportunity shall be offered at the next Meeting of your Houses of Parliament.' Anno 12 Car. II. 1660.

His Majesty having then given the Royal Assent to the Bills presented to him, he thus declared himself:

'My Lords and Gentlemen,

'IF my Presence here had not been requisite for the passing these many Bills, I did always intend to see you together before your Adjournment, that I may again thank you for the many good Things you have done for me and the Kingdom: And in truth, I do thank you more for what you have done for the Public than what you have done for my own Particular; and yet I do thank you for that with all my heart. But I confess to you, I do thank you more for the Provision you have made to prevent Free Quarter, during the Time the Army shall be disbanding, which I take to be given for my Satisfaction, than I do for the Present you have made me for my own particular Occasions. And I do promise you, which is the best Way I can take to gratify you, I will not apply one Penny of that Money to my own particular Occasions, what Shift soever I make, 'till it is evident to me that the Public will not stand in need of it; and if it do, every Penny of it shall be disburs'd that way, and I dare say I shall not be the poorer for it. I cannot but take Notice of one particular Bill I have passed, which may seem of an extraordinary Nature [An Act for restoring the Marquess of Hertford to the Dukedom of Somerset.] But you all know it is for an extraordinary Person, who hath merited so much of the King my Father and myself as a Subject can do: And I am none of those who think, that Subjects, by performing their Duties in an extraordinary Manner, do not oblige their Princes to reward them in an extraordinary Manner. There can be no Danger from such a Precedent, and I hope no Man will envy him, because I have done what a good Master should do to such a Servant. My Lords and Gentlemen, The King's Speech.

'tlemen,

Anno 12 Car. II. 1660.

'tlemen, I will not deny to you, That I had ſome Inclination, when I conſented to your Deſire for your Receſs, to have made a Seſſion, which I thought moſt agreeable to the ancient Order of Parliaments; and I hope you will join with me in reducing of Parliaments to their ancient Rules and Orders, the Deviation from which hath done us no Good. And I think there were never ſo many Bills paſſed as I have this Day, without a Seſſion: But upon the Deſire, and Reaſons given by the Houſe of Commons, for an Adjournment, without a Seſſion, I do very willingly part from that Inclination, and do as willingly give you Leave, and direct you to adjourn your ſelves to the Sixth of November, when I hope you will meet again: And in the mean time that you will be welcome to your Countries, and do much Service.'

After which his Majeſty referr'd to the Lord Chancellor to ſpeak of many other Things which he had to recommend to them, who diſplayed his Eloquence in a long Speech, conſiſting of Variety of Subjects, principally tending to the compoſing and healing of all former Differences. As to the Army, he told them, 'That his Majeſty cou'd not take it unkindly at their hands who thought he wou'd not diſband them: It was a ſober and rational Jealouſy; ſince no other Prince in Europe cou'd be willing to diſband ſuch an Army, every way ſo valuable, &c.' But what he alledg'd, as the greateſt Felicity to a diſtracted Nation, was the Act of Indemnity; in which he particularly inſiſted upon that moſt charitable Clauſe, 'That made it penal to 'any Perſons who within three Years ſhould maliciouſly 'call, or object againſt others any Name or Words of Reproach, any ways tending to revive the Memory of the 'late Differences.' Nay farther, he let them know, 'That 'even evil and envious Looks, murmuring and diſcontented Hearts, were directly againſt the Equity of the Statute, 'and, as far as they were diſcover'd, ſhou'd be ſo eſteemed 'by his Majeſty.' Therefore he conjured them from the King, 'to join with him in reſtoring the whole Nation to its primitive Temper and Integrity, to its old Good Manners, to its old Good Humour, and to its old Good Nature: Good Nature, a Virtue ſo peculiar to them, ſo appropriated by God Almighty to this Nation, that it can be tranſlated into no other Language, hardly practis'd by any other People.' After this he put them in mind of the neceſſary Severity that ought to be uſed towards ſuch as ſhall ſtill continue to widen the Breaches; but added, 'That too much Ill cou'd not befall thoſe who did the beſt 'they cou'd to corrupt his Majeſty's Nature, and to extin-

The Subſtance of the Chancellor's Speech at the Adjournment.

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guish his Mercy.' The whole consisted of great Variety, and was fill'd with such generous and healing Sentences, as were agreeable to the best of Kings, and best of Ministers; and concluded in these Words, 'Be but pleas'd your selves, and persuade others to be so; contrive all the Ways imaginable for your own Happiness, and you will make his Majesty the best pleased and the most happy Prince in the World.' Anno 12 Car. II. 1660.

Upon finishing this Speech the King retired, and both Houses of Parliament adjourn'd themselves to the sixth Day of November, after they had sat four Months and eighteen Days, from their first Meeting, and three Months and fourteen Days from the King's Arrival; in which Time they compleated as much Business as cou'd possibly be expected in this great Exigency of Affairs. The Parliament adjourn'd for near two Months.

On the sixth of November the Parliament met according to their Adjournment, and the Commons having complemented the Queen-mother on her Arrival in England, and presented 10000 l. to her Daughter, the Princess Henrietta-Maria, and as much more to the Princess of Orange, they proceeded next to complete the disbanding the Army, already greatly diminish'd; upon which Occasion the noted Mr Prynne, desiring the House to be mindful not to do those Things which might bring them (the Army) together again, he was called to Order, and with difficulty escaped a severe Censure. The second Meeting of the first Parliament. Mr. Prynne.

But while the House was busied on this, and other material Points, they received a Message from the King, informing them, that, upon the Account of their Preparations for his Coronation, and other Reasons, he had determined to dissolve them in the End of December; and therefore desired, 'That they might the more vigorously apply themselves to the Dispatch of the most important Business that depended before them.' Shortly after which the House of Commons represented to his Majesty, 'The great Sense that House had of the many Expressions of Grace which they had received from him in his several Declarations; further acquainting him with the great Unanimity of the House in settling a Revenue of Twelve Hundred Thousand Pounds *per Annum* on his Majesty, according to their former Vote.' To which Vote the King return'd his Thanks for their Care of him, and assured them, That he would employ his Revenue for the Good of them and the Kingdom. In the mean time the Parliament ordered, 'That the several Bodies of Oliver Cromwell, John Bradshaw, Henry Ireton, and Thomas Pride, be taken out of their Graves, drawn on a Hurdle to Tyburn, there to be hanged up from Ten o'Clock 'till Sun-setting, and then buried under the Gallows.' At the same time they made They order certain obnoxious dead Bodies to be hanged at Tyburn.

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an Act of Attainder, which did not only extend to the Blood and Estates of these Four, but also to the nineteen Regicides that fled from Justice, namely, Lisle, Jones, Waulton, Whalley, Barkstead, Ludlow, Livesey, Okey, Hewson, Goffe, Holland, Challoner, Cawley, Corbet, Love, Dixwell, Blagrave, Broughton, and Dendy, who by this Act stood adjudg'd, convicted, and attainted of High Treason.

William Drake impeach'd.

The Commons likewise took notice of an inferior Criminal, William Drake, a Citizen and Merchant of London, and drew up an Impeachment against him for writing and publishing a dangerous Book entitled, *The Long Parliament Revived*, in which he endeavours to prove that the said Parliament was not yet legally dissolv'd. This rais'd a considerable Noise, but they wanted Time to bring it to a Trial.

The Speaker's Speech to the King on the Dissolution.

After a Session of near two Months, a Dissolution being expected, on the 29th of December the King came to the House of Peers and passed all the publick and private Bills that were ready for the Royal Assent. The Nature of those that were of a public Concern we find from the following Part of the Speaker's Speech. —— 'As I am commanded, I most humbly assure your Majesty, that the many healing Expedients propounded by your Self in your several Gracious Declarations, have been the subject Matter upon which your Commons have wrought all this Parliament. And in the first place they took into Consideration the great and growing Charges which then lay upon your People for the Pay of your Army and Navy. And they conceived it necessary to begin with that Part wherein your People have the most Ease, and the greatest Security and Satisfaction; which was the disbanding and discharging the Forces by Sea and Land: And this led them into a Consideration of proper Ways and Means for raising Monies for that Purpose, as the *Poll-Bill*, and the *Assessment of Seventy Thousand Pounds per Month*. But those not having done the Work, here are others ready in my Hand: The one entitled, *An Act for levying the Arrears of the twelve Months Assessment*, &c. And the other entitled, *An Act for the further Supplying several Defects in the* Act for Disbanding all the Forces both by Land and Sea; and they hope this Account will be cleared off at last. Sir, your Commons have likewise taken into Consideration the Charge of your Summer's Fleet, &c. and pass'd a Bill entitled, *An Act for six Months Assessment of Seventy Thousand Pounds per Mensem*, to begin the first of January. I have three other Bills in my Hand, which have relation to your Majesty's Revenue, and are Branches thereof: The one entitled, *An Act for the better ordering the Sel-*

Selling of Wines by Retail, and for preventing Frauds in the Manufacture, Corrupting, and Limiting the Prices of the same: And this Bill is tendered to your Majesty to prevent all future Disputes touching the Legality thereof; for we know it is your Majesty's Desire that nothing be done otherwise by any of your Ministers acting under your Command. Another is entitled, *An Act for Erecting and Establishing a Post-Office*; and this being legally settled, will be of great Use to all your Majesty's Subjects for holding Intelligence with their Factors and Agents in Foreign Parts. The other Bill provides for the Encrease of your Majesty's ordinary and constant Revenue, by granting of *an Impost upon Ale, Beer, Cyder, and other Liquors*, therein expressed, to hold for your Majesty's Life. As it is the Desire of your Commons, that your Majesty might never be necessitated to resort to Extraordinary or Unparliamentary Ways for raising of Money upon your People; so they likewise acknowledge it to be their Duties to support and uphold, to the utmost of their Powers, the Honour and Grandeur of your Majesty's State and Dignity. And for a further Evidence of your Commons dutiful Affections to your Majesty's Royal and Dear Person, they have pass'd another Bill for *Raising Seventy Thousand Pounds for your Majesty's further Supply*. All which Bills I am commanded humbly to present to your Majesty; and to pray your Majesty's gracious Acceptance and Royal Assent.

'There are other Bills of public Concernment which have pass'd both Houses, and now attend upon your Majesty for your Royal Assent: The one entitled, *An Act for Attainder of several Persons guilty of the horrid Murther of his late Sacred Majesty*, your Royal Father of ever-blessed Memory. Another entitled, *An Act for Confirmation of Leases and Grants for Colleges and Hospitals*, which will tend much to the quieting of Mens Estates, that in the late unhappy Times were forced to renew and change their Revenues much for the worse, were it not for the Favour your Majesty intends them in this Bill. There is another Bill entitled, *An Act to prohibit the Exportation of Wool, Wool-Fells, Fullers-Earth, or any other Scouring Earth*; which will be the best Encouragement for the Woollen Manufactures; and without which there would be a double Loss; first to your Majesty in your Customs, and next to your People, who would be discourag'd, and in a short time beaten out of that ancient Native Staple Trade, upon which depends the Substance of many thousand Families. There is another Bill entitled, *An Act for prohibiting the Planting, Setting, or Sowing of Tobacco in England and Ireland*; which if permitted would occasion the Abatement of your Majesty's Customs,

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the Deſtruction of your Plantations abroad, and the Diſcouraging of Navigation, and conſequently the Decay of Shipping, which are the Walls and Bulwarks of your Majeſty's Kingdom. There is one Bill more, entitled, *An Act for taking away the Court of Wards and Liveries, &c. with Tenure in Capite, Knight's Service, and Purveyance, and for ſettling a Revenue upon his Majeſty in lieu thereof.* This Bill *En re natâ* may properly be called *A Bill of Exchange*; for as Care is therein taken for the Eaſe of your People, ſo the Supply of that Part of your Majeſty's Revenue, which formerly came into your Treaſury, by your Tenures and Purveyances, is thereby likewiſe fully provided for by the Grant of another Impoſition *upon Ale and Beer, and other Liquors*, to hold to your Majeſty, your Heirs and Succeſſors for ever. And yet they ſhould not look upon the Conſiderations mentioned in this Bill as a full Compenſation for your Majeſty's parting with two ſuch Royal Prerogatives and ancient Flowers of the Crown, if more were not implied than is expreſs'd. For your Tenures *in Capite* are not only turned into a Tenure of *Soccage* (which alone will for ever give your Majeſty a juſt Right and Title to the Labour of our Ploughs and the Sweat of our Brows) but they are likewiſe turned into a Tenure *in Corde*. What your Majeſty had before in your Court of Wards, you will be ſure to find hereafter in the Exchequer of all your Peoples Hearts. The King of Spain's Mines will ſooner deceive him than this Revenue will fail you. For his Mines have Bottoms, but the deeper your Majeſty ſinks into the Hearts and Affections of your People, the greater will you find your Wealth, and the more invincible your Strength.——Royal Sir, you have denied us nothing we have aſked this Parliament. Indeed you have out-done your Parliament, by doing much more for us than we could agree among ourſelves to aſk. And therefore we muſt needs be a Happy Parliament, a Healing Parliament, a Reconciling and Peace-making Parliament, a Parliament *propter Excellentiam* that may truly be call'd *Parliamentiſſimum Parliamentum.*——

Upon paſſing the foremention'd Acts, the King made the following Speech:

The King's Speech.

'My Lords and Gentlemen,

'I Will not entertain you with a long Diſcourſe; the 'Sum of all I have to ſay to you being to give you 'Thanks, very hearty Thanks: And I aſſure you I find 'it a very difficult Work to ſatisfy my Self in my own Ex'preſſions of thoſe Thanks. Perfunctory Thanks, Ordi'nary Thanks for Ordinary Civilities are eaſily given; but 'when the Heart is full as mine is, it is a Labour to

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'thank you. You have taken great Pains to oblige me, and therefore it cannot be easy for me to expreſs the Senſe I have for it. I will enlarge no further to you on this Occaſion than to tell you, when God brought me hither, I brought with me an extraordinary Affection and Eſteem for Parliaments. I need not tell you how much it is improv'd by your Carriage towards Me: You have out-done all the good and obliging Acts of your Predeceſſors towards the Crown, and therefore you cannot but believe my Heart is exceedingly enlarged with the Acknowledgment. Many former Parliaments have had particular Denominations for what they have done; They have been ſtiled Learned, and Unlearned, and ſometimes have had the worſt Epithets. I pray let us reſolve that This be for ever called the HEALING and the BLESSED PARLIAMEMT. As I thank you, though not enough, for what you have done, ſo I have not the leaſt Doubt, but when I ſhall call the next Parliament (which I ſhall do as ſoon as you can reaſonably expect or deſire) I ſhall receive your hearty Thanks for what I ſhall then have done ſince I have parted with you. For I deal truly with you; I ſhall not more propoſe any one Rule to my Self in my Actions and Counſels than this: What is a Parliament like to think of this Action, and this Counſel? And it ſhall be Want of Underſtanding in me, if it will not bear that Teſt. I ſhall conclude with this, which I cannot ſay too often, nor you too often where you go: That, next to the miraculous Bleſſing of God Almighty, and indeed as an immediate Effect of that Bleſſing, I do impute the good Diſpoſition and Security we are all in to the happy Act of Indemnity and Oblivion: That is the principal Corner-Stone which ſupports this excellent Building, that creates Kindneſs in us to each other, and Confidence in our joint and common Security. You may be ſure I will not only obſerve it Religiouſly and Inviolably my Self, but alſo exact the Obſervation of it from others: And if any Perſon ſhall ever have the Boldneſs to attempt to perſuade me to the contrary, he would find ſuch an Acceptation from Me as he wou'd have who ſhou'd perſuade me to burn *Magna Charta*, cancel the old Laws, and erect a new Government after my own Invention and Appetite.'

The Subſtance of the Chancellor's Speech.

After this he referr'd them to the Lord Chancellor, who diſplayed his uſual Eloquence in a very long Speech, conſiſting of Variety of Matter. He applauded the Wiſdom of the Houſes in the King's Reſtoration, and likewiſe in all their ſeveral Proceedings, and particularly told them, 'That he made no doubt but all ſucceeding Parliaments wou'd pay to

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to them their Thanks for all they had done, and look upon their Actions, and their Example, with all poſſible Approbation and Reverence.' As to the Reſtoration of the diſquiſhing Church to Peace, Unity and Order, he told them, 'the King had been ſo careful, that Confeſſing himſelf he hardly ſpent ſo much of his own Time in private and public Conferences to that purpoſe.' After many Topics, entering upon the Glory and Reputation of England, he freely told them, 'That they were too partial to it, who believ'd it the beſt Country in the World; There was better Earth, better Air, and a warmer Sun in other Countries; but he was not unjuſt when he ſaid, That England was an Incloſure of the beſt People in the World, when they were well-inform'd and inſtructed; A People in Sobriety of Conſcience, the moſt devoted to God Almighty; in the Integrity of their Affections, the moſt dutiful to the King; in their good Manners and Inclinations, moſt regardful to their Superiors!' Therefore he deſired the Houſe of Commons in their Return home, to aſſure them, 'That his Majeſty thinks himſelf the happieſt and greateſt Prince in the World, not from the Situation of his Dominions, and the Power of his great Navy, with which he can viſit his Neighbours, and keep them from viſiting him; but from being poſſeſs'd of the Affections and Hearts of ſuch Subjects; that he does ſo entirely love them, and depend upon them, That all his Actions, and all his Counſels ſhall tend to no other End, but to make them happy and proſperous.' But notwithſtanding all this Care and Tenderneſs of his Majeſty, there were ſtill ſome Men, who by their Writings and Preachings endeavour'd to continue the former Breaches; and ſome others had been ſo dangerous to the public Peace, that they had lately been ſecured in Priſon. And then he proceeded to give them a Narrative 'how a Party of the late diſbanded Officers and Soldiers, and others full of Diſcontent and ſeditious Purpoſes, had reſolv'd to attempt the Change of the preſent Government, and to erect a Commonwealth; in which Ludlow, and other deſperate Perſons, were concern'd.' Therefore, upon the account of theſe unexpected Plots and Conſpiracies, he wiſh'd, 'That their other weighty Affairs would have given them Time to have publiſh'd their Opinion and Advice in the Buſineſs of the Militia; That the People, after ſo many Diſputes upon that Argument, might have found, That the King and his two Houſes of Parliament were as much of the ſame Mind in that, as in other Things.' Therefore to ſecure the Peace of the Nation, he acquainted them, 'That the King would be conſtrain'd to eſtabliſh it for the preſent, as formerly his Predeceſſors had done.' Then ſpeaking of the former Succeſſes

ceſſes ſo often inſiſted on by the Heads of the ruin'd Party, he retorted their Arguments, in the wonderful Preſervation of the King's ſacred Perſon, and alledg'd, 'That God Almighty would not have led him through ſo many Wilderneſſes of Affliction of all kinds, conducting him through ſo many Perils by Land; ſnatching him out of the midſt of his Kingdom, when it was not worthy of him, and when the Hands of his Enemies were upon him, when they thought themſelves ſo ſure of him, that they would bid ſo cheap and vile a Price for him: He would not then have ſo cover'd him with a Cloud, that he travell'd with ſome Pleaſure, and great Obſervation through the midſt of his Enemies: He would not ſo wonderfully have modell'd that Army, ſo inſpired their Hearts, and the Hearts of the whole Nation, with an honeſt and impatient longing for the Return of their dread Sovereign; and in the mean time have ſo exercis'd him with thoſe unnatural, or at leaſt unuſual Diſreſpects and Reproaches abroad, that he might have a harmleſs and innocent Appetite to his own Country, and return to his own People full Value, and the whole unwaſted Bulk of his Affections, without being corrupted or biaſs'd by extraordinary Foreign Obligations: God Almighty would not have done all this, but for a Servant whom he will always preſerve as the Apple of his own Eye, and always defend from the moſt ſecret Machinations of his Enemies.' In Concluſion, by the King's Command, he declar'd the preſent Parliament diſſolv'd.

Anno 1660.

On the 8th of May the new Parliament met, and the King proceeded to the Houſe of Peers, with unuſual Solemnity, being attended by all the great Officers of State, the whole Body of the Nobility in their Robes; Drums, Trumpets, &c. Where being ſeated on his Throne, he open'd the Seſſion with the following Speech to both Houſes.

The ſecond Parliament.

'My Lords, and Gentlemen of the Houſe of Commons,

The King's Speech.

I Will not ſpend the Time in telling you why I call'd you hither; I am ſure I am glad to ſee you here. I do value myſelf much upon keeping my Word, upon making good whatſoever I promiſe to my Subjects: And I well remember when I was laſt in this Place, I promis'd that I would call a Parliament as ſoon as could be reaſonably expected or deſired; and truly, conſidering the Seaſon of the Year, and all that has been done ſince we parted, you could not reaſonably expect to meet ſooner than now we do. If it might have been a Week ſooner, you will confeſs there was ſome Reaſon to defer it to this Day: For, this Day, we may without Superſtition love one Day, prefer one Day before another, for the Memory of ſome Bleſ-

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'ſings that befel us that Day; and then you will not wonder that the Memory of the great Affection the whole Kingdom ſhew'd to me this Day Twelve-Month, made me deſirous to meet you again this Day, when I dare ſwear you are full of the ſame Spirit, and that it will be laſting in you. I think there are not many of you who are not particularly known to me; there are very few of whom I have not heard ſo much Good, that I am ſure, as I can be of any thing that is to come, that you will all concur with me, and that I ſhall concur with you in all Things which may advance the Peace, Plenty, and Proſperity of the Nation; I ſhall be exceedingly deceiv'd elſe.

'My Lords and Gentlemen, you will find what Method I think beſt for your Proceeding, by two Bills I have cauſed to be prepar'd for you, which are for Confirmation of all that was enacted at our laſt Meeting: And above all, I muſt repeat what I ſaid when I was laſt here; That next to the miraculous Bleſſing of God Almighty, and indeed, as an immediate Effect of that Bleſſing, I do impute the good Diſpoſition and Security we are all in, to the happy Act of Indemnity and Oblivion: That is the principal Corner-Stone, which ſupports this excellent Building, that creates Kindneſs in us to each other, and Confidence in our joint and common Security. I am ſure I am ſtill of the ſame Opinion, and more, if it be poſſible, of that Opinion, than I was, by the Experience I have of the Benefit of it, and from the Unreaſonableneſs of what ſome Men ſay againſt it, tho' I aſſure you not in my hearing. In God's Name, provide full Remedies for any future Miſchiefs; be as ſevere as you will againſt new Offenders, eſpecially if they be ſo upon Old Principles, and pull up thoſe Principles by the Roots. But I ſhall never think him a wiſe Man, who would endeavour to undermine or ſhake that Foundation of our public Peace, by infringing that Act in the leaſt degree; or that he can be my Friend, or wiſh me well, who would perſuade me ever to conſent to the Breach of a Promiſe I ſo ſolemnly made when I was abroad, and perform'd with that Solemnity; becauſe, and after I promis'd it, I cannot ſuſpect any Attempts of that kind by any Men of Merit and Virtue.

'I will not conclude without telling you ſome News; News that I think will be very acceptable to you; and therefore I ſhould think myſelf unkind and ill-natur'd, if I ſhould not impart it to you. I have been often put in mind by my Friends, That it was now high Time to marry; and I have thought ſo myſelf ever ſince I came into England: But there appeared Difficulties enough in the Choice, tho' many Overtures have been made to me:

'and

and if I should never marry till I could make such a Choice, against which there could be no Foresight of any Inconvenience that may ensue, you would live to see me an old Batchelor, which I think you do not desire to do. I can now tell you, not only that I am resolv'd to marry, but to whom I resolve to marry, if God please: And towards my Resolution, I have us'd that Deliberation, and taken that Advice as I ought to do in an Affair of that importance; and, trust me, with a full Consideration of the Good of my Subjects in general, as of myself: It is with the Daughter of Portugal. When I had, as well as I could, weigh'd all that occur'd to me, the first Resolution I took, was to state the whole Overtures which had been made to me, and, in truth, all that had been said against it to my Privy-Council; without hearing whose Advice, I never did, nor ever will, resolve any thing of public Importance. And I tell you with great Satisfaction and Comfort to myself, that after many Hours Debate in a full Council, for I think there was not above one absent; and truly I believe, upon all that can be said upon that Subject, for or against it, my Lords, without one dissenting Vote, yet there were very few [redacted] sate silent, advis'd me with all imaginable Chearfulness to this Marriage; which I look'd upon as very wonderful, and even as some Instance of the Approbation of God himself; and so took up my own Resolution, and concluded all with the Ambassador of Portugal, who is departing with the whole Treaty sign'd, which you will find to contain many great Advantages to the Kingdom: And I make all the haste I can to fetch you a Queen hither, who, I doubt not, will bring great Blessings with her, to me and you.'

Anno 1. Car. II. 1662.

He refer'd the rest to the Lord-Chancellor, who made an elegant Speech, too long to be inserted but by way of Abridgment. He told them, 'That the King had call'd them hither by his Writ, which was the only good and lawful Way to the meeting of a Parliament; and they ought to thank God he had reserv'd them to that Day, a Day that many good Men had died praying for, that after all the Prodigies in Church and State, they had liv'd to see the King at the opening of the Parliament. That his Majesty had caused a Bill or two to be prepared for the Confirmation of all that was enacted in the last Parliament; which, tho' not call'd by the King's Writ, might be reasonably thought to have been call'd by God himself, upon the Prayers of the whole Kingdom, as the only Means to restore the Nation to its Happiness, to itself, to its Honour, and even to its Innocence. That for the King, after so many Injuries and Losses, to have been not only willing to con-

The Lord Chancellor's Speech.

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firm and enact the Act of Oblivion and Indemnity, [illegible] prepare such an Act for them, to conjure them by all that [illegible] precious, by their Friendship to him, to dispatch that Act with Expedition, was such a Fatherly Tenderness and Piety as could proceed from no Heart, but such a one in which God had treasur'd up a Stock of Mercy, and Justice and Wisdom, to redeem a Nation. That the last Parliament which had done such Wonders, had still left great Things for them to do: They would find the Revenue the last Parliament intended to raise for the King, very much short of what they promis'd: They would find the public Debts for the Discharge of the Army and the Navy, which the last Parliament thought sufficiently provided for, to be still in Arrear, and unpaid. That they were now the great Physicians of the Kingdom: and, God knows, had many wayward, froward and distemper'd Patients; some who in truth were very sick, others who thought themselves sicker than they were, and some who thought themselves in Health and were most sick of all: They were therefore to use all the Diligence, Patience and Compassion, which good Physicians have for their Patients; all the Chearfulness, Complacency and Indulgence, their several Habits, Constitutions and Distempers might require. But there were a sort of Patients who deserv'd none of their Lenity; such who were so far from valuing their Prescriptions, that they accounted them not as their Physicians, but as their Patients. These were the seditious Preachers, who could not be contented to be dispens'd with for their full Obedience to some Laws establish'd, without reproaching and inveighing against those Laws how establish'd soever.' After some severe Expressions against these Preachers, he told them that when the King spoke last in this Place, he said, 'He should not more propose to himself any one Rule in his Actions or Councils, than this; What is a Parliament like to think of this Action, or of that Counsel? And that should be want of Understanding in him, if it would not be that Test.' That in a little time after the Dissolution of the last Parliament, while his Majesty accompany'd his Mother to the Sea-side, the most desperate and prodigious Rebellion broke out in this City, that had been heard of in any Age; and by the multitude of intercepted Letters from and to all the Counties of England, in which the Time was set down wherein the Work of the Lord was to be done, by the desperate Carriage of the Traytors themselves, and their bragging of their Friends, it might be concluded the Combination reach'd very far; and, if the indefatigable Industry of the Lord Mayor had not prevented it, probably the Fire would not have been extinguish'd, before this famous City

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or a great Part of it, had been burnt to Aſhes: And therefore it would become their Wiſdome to provide new Remedies for new Diſeaſes, and to ſecure the precious Perſon of their Sovereign from the firſt Approaches of Villany; and the Peace of the Kingdom from the firſt Overtures of Sedition.' Then he proceeded to ſpeak of the King's intended Marriage, which he ſaid, 'would be the moſt grateful News that the whole Kingdom could receive: That it would be judg'd an irrecoverable Error in Policy, if Portugal ſhould be ſuffer'd again to be ſwallow'd up by Spain: That the Spaniſh Ambaſſador was ſolicitous to obſtruct the Match; and the King had not conceal'd from his Councell, what that Ambaſſador had offer'd againſt this Marriage; what Proffers he had made of others, what Threats of War in one Caſe, what Advantage of Dowry in another; nay, that he had pretended to be ſo ſollicitous for the Advancement of the Proteſtant Religion, that he had offer'd ſeveral Proteſtant Princeſſes, to whom his Maſter ſhould give a Portion, as with the Infanta of Spain: But he had withal preſs'd very earneſtly the delivering up of Dunkirk and Jamaica; by that it was plain the Spaniſh King would have that Recompenſe for the Portion he would give. That there being an unanimous Advice from his Councell to make this Marriage, his Majeſty had ſent for the Portugal Ambaſſador, had declared his Reſolution to him, had writ himſelf to Portugal, and was preparing his Fleet to fetch home their Queen. In the laſt place he told them there were ſome other Particulars of Weight, but he would reſerve them till they met again, after they had choſen their Speaker.'

After the Chancellor had ended, and his Majeſty was withdrawn, the Houſe proceeded to the Choice of a Speaker. And, in complaiſance to a Recommendation from Court, fix'd on Sir Edward Turner, * Solicitor to the Duke of York; who being return'd to the King for, and having received his Approbation, made a Speech to his Majeſty, in which were the following Expreſſions.

Sir Edward Turner choſen Speaker.

'That as the former Spirit of Reformation at firſt brought us into this Miſery; ſo the Spirit of Giddineſs which God ſent among our Reformers, at length cured us.' Then applying himſelf to the King, he ſaid, 'As we have Cauſe at all times to bleſs God, that he hath thus brought your Majeſty to your People; ſo we have juſt Cauſe at this Time to return our hearty Thanks unto your Majeſty, that you have thus brought your People to yourſelf. The Sun exhales the Vapours from the Earth, and then ſends them down in Showers of Plenty; ſo we joyfully find that our Obedience and

The Speaker's Speech to the King.

* *And afterwards to the King.*

December 13. 1661.

Affection to your Majesty, are return'd upon this Work by Plenty, Peace and Protection. The last Meeting here in Parliament was happy in healing the bleeding Wounds of this Nation; they were bless'd also, even for their Work's sake, your sacred Majesty did bless them, and therefore they shall be blessed to all Posterity. But, Sir, we hope you have a Blessing left for us too: That was your Parliament by Adoption, but this is yours by Birth-Right: This Parliament is Free-born; I hope this Honour will beget in us an Emulation to exceed the Actions of our Predecessors, and not only to meet your Majesty as our Sovereign, with the Duty of Subjects, but with the Love of Sons to a most indulgent Father.—If the Affections of all Englishmen can make you happy; if the Riches of this Nation can make you Great; if the Strength of this warlike People can make you considerable at Home and Abroad, be assured you are the greatest Monarch in the World. Give me leave to double my Words and say it again, I wish my Voice could reach to Spain, and to the Indies too, You are the greatest Monarch in the World!' Then he concluded with the usual Request for the Commons wonted Privileges, Freedom of Speech, Protection from Arrests, and Access to his Majesty upon all Occasions.

The Chancellor's second Speech to the Commons.

Upon the finishing of this, the Lord-Chancellor made a second Speech by way of Supplement to his former; in which he told the Speaker and the Commons, 'That the King had done his Part, by publishing the very Day he intended the Parliament should meet, a good Time before the Writs were seal'd, that the Country might not be surpris'd in their Elections; but that they might send up such a Representative to him as he might make a clear View and Prospect of the Affections and Desires of his People: And he is perswaded that the Commons of England were never more exactly represented than they were in the present Knights, Citizens and Burgesses.' After that he took notice 'of the great Privilege of the common People of England to be represented by the greatest, and learnedest, and wealthiest and wisest Persons that could be chosen out of the Nation: But, added he, the compounding the Commons of England, that noble Representative, with the common People of England, was the first Ingredient of that accursed Dose which intoxicated the Brains of Men with that Imagination of a Commonwealth; a Government as impossible for the Spirit and Genius of the English Nation to submit to, as it is to perswade them to give their Cattle and their Corn to other Men, and to live themselves upon Herbs and Roots.' He told them there was not a Commonwealth in Europe, where every Man that was worth one thousand Pounds

Pounds, did not pay more to the Government, than a Man of a thousand Pounds a Year ever did to the Crown here before the late Troubles; and he was perſuaded that that Monſter Commonwealth coſt this Nation more in the few Years ſhe was begot, born and brought up, and in her Funeral, than the Monarchy had done theſe ſix hundred Years.' Then he proceeded to other Heads, and particularly urg'd them to provide againſt the exceſſive Drinking and Expences that prov'd inconvenient in Elections; and recommended to them the great Improvements to be made by draining of Fens, and the like. Laſtly, he deſired them, 'That they would uſe ſuch Expedition in their Counſels of moſt Importance, that the reſt may be left to a Receſs in the Winter, after an Adjournment, that his Majeſty might have Time to beſtow himſelf upon his Subjects in a Progreſs which he would be glad to begin before the End of July. That his Majeſty deſired again to ſee his good City of Worceſter, and to thank God for his Deliverance there; and to thank God even in thoſe Cottages, and Barns, and Hay-Lofts, wherein he was ſhelter'd, and feaſted, and preſerved: And in the Cloſe of that Progreſs he hopes he ſhall find his Queen in his Arms: and ſo return to meet them there the Beginning of Winter.

Theſe Ceremonies being over, the Parliament proceeded to the great Affairs of the Kingdom; and within three Days both Houſes came to a Vote and Reſolution concerning the King's intended Marriage, and accordingly attended his Majeſty at Whitehall with their humble Acknowledgment and Thanks for the free and gracious Communication of his Reſolution to marry with the Infanta of Portugal; which they conceiv'd to be of ſo high a Concernment to this Nation, that they receiv'd it with great Joy and Satisfaction, and did with all Earneſtneſs beg a Bleſſing upon, and a ſpeedy Accompliſhment of it; and they could not but expreſs their own unanimous Reſolutions, which they were confident would have a general Influence upon the Hearts of all his Subjects: That they ſhould upon all Occaſions be ready to aſſiſt his Majeſty in the Purſuance of theſe his Intentions againſt all Oppoſitions whatſoever. To which the King return'd his particular Thanks, declaring, 'That he did, in the matter of the intended Marriage, as 'much ſtudy their Good, as his own.

The Thanks of both Houſes given to his Majeſty.

While this was tranſacting, the Houſe, firſt, order'd all their Members to take the Sacrament according to the preſcribed Liturgy, on pain of [illegible]; and then, in conjunction with the Lords, on the 30th of May, order'd that the Inſtrument of Writing, [illegible] caus'd ſo much Miſchief, call'd, The ſolemn [illegible] and Covenant, ſhould be

The Commons oblige themſelves to take the Sacrament, and order the Covenant to be burnt.

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be burnt by the Hand of the common Hangman, in the Palace-Yard at Weſtminſter, in Cheapſide, and before the Old-Exchange, on the 22d of May; and be forthwith taken off the Record in the Houſe of Peers, and all other Courts and Places where the ſame is recorded; and that all Copies thereof be taken down out of all Churches, Chapels, and all other public Places in England and Wales. A few days after, May 28, they likewiſe order'd, the Act for erecting a High Court of Juſtice, for Trying and Judging Charles Stuart, the Act for Subſcribing the Engagement againſt a King and Houſe of Peers; the Act for declaring the People of England to be a Commonwealth and Free-State; the Act for Renouncing the Title of Charles Stuart, and alſo the Act for the Security of the Lord Protector's Perſon, to be burnt by the hands of the common Hangman, in the midſt of Weſtminſter-Hall, while the Courts were ſitting.

As likewiſe the Act for erecting the high Court of Juſtice, &c.

See Journ. Comm. 15 July 1661.

About this time, Mr Prynne (a Member) narrowly eſcaped the Cenſure of the Houſe, for publiſhing certain Reaſons againſt an intended Bill for regulating Corporations, as contrary to Magna Charta: And, the Republican Party apprehending the late Act of Oblivion to be inſufficient, unleſs confirm'd by the preſent Parliament, his Majeſty ſent the following Letter to the Houſe of Commons.

The King's Letter for confirming the Act of Indemnity.

'At the Opening our Parliament you were told, That 'we had a great Deſire this Summer to make a Progreſs 'through ſome Parts of our Kingdom, which we reſolve to 'begin in Devotion to our City of Worceſter, that we may 'pour out our Thanks to God for our Deliverance there; 'and the Seaſon of the Year quickens us in that Inclination, 'as we preſume it diſpoſes you to a Deſire to withdraw 'from this City, and to viſit your Countries. But you may 'remember we told you then, That we had caus'd ſome 'Bills to be prepared for you, for Confirmation of what we 'enacted in our laſt Meeting; and we ſaid all we could to 'you of the Value we ſet upon the Act of Indemnity (as 'we have great reaſon to do) and if we could have uſed 'ſtronger Expreſſions to have conjur'd you ſpeedily to have 'diſpatch'd it, we aſſure you we would have done it. And 'we did think what we ſaid would have made an Impreſſion 'on all who profeſs a Deſire to ſerve us; and therefore we 'expected every Day, that the ſame Bill would have been 'preſented to us for another Aſſent. We muſt confeſs, we 'hear you have ſhewed great Affection to us, ſince your 'coming together, and that you have already prepared and 'paſs'd ſome very good Bills (for which we heartily thank 'you) that are ready for [illegible] Royal Aſſent: Yet we cannot 'but tell you, That th[illegible]e enough concern'd to expe-

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'dite those Bills, we have no mind to pass them till the Act of Indemnity be likewise presented to us, upon which, if you take our Word, most of our Quiet and Good depends, and in which we are sure our Honour is concern'd. Therefore we must again, and as earnestly as is possible, conjure you to use all possible Expedition in passing that Act in the same Terms we already pass'd it (to which we take Ourself oblig'd) and that you will for the present lay aside all private Business, that so betaking yourselves only to the Public, you may be ready to adjourn by the middle of the next Month, which will best suit with all our Occasions.'

Anno 1660.

This Letter did not fail of being receiv'd with due Respect, and the House resolv'd to bring in a Bill accordingly: But, as a new Instance of their Loyalty and Duty, proceeded, first, to settle the Revenue on such a footing as might more effectually maintain the Splendor and Grandeur of the Kingly Office. Accordingly this capital Point was referr'd to the Consideration of a Committee, of which Sir Philip Warwick was Chairman; who reported, that on a thorough Examination, there was a Deficiency of full 265,000l. on the different Funds, already appointed to answer that end: Upon which it was order'd, 'That forthwith be provided a plentiful Supply for his Majesty's present unavoidable great Occasions, as well as a Settlement of a constant, and standing Revenue:' And accordingly a Bill was brought in 'To enable his Majesty to send out Commissions to receive the free and voluntary Contributions of his People, towards the present Supply of his Majesty's Affairs, &c.'

Having finish'd this, and the Bill for Confirmation of the Act of Oblivion and Indemnity, on the 8th Day of July the King came to the House of Peers, where being seated on his Throne, the Speaker of the House of Commons, among other things, spoke thus to his Majesty: 'Your Majesty was pleased, at the Opening of the Parliament, to recommend to us two Bills; one for Confirmation of public Acts, another for the private Acts that passed the last Parliament: They were so many in Number, and great in Weight, that hitherto we could not consider of them all: but some we have perused, as the Act for Confirmation of Judicial Proceedings, that for taking away the Court of Wards and Liveries, and also all those that relate to your Majesty's Customs and Excise. And that we might with some Chearfulness see your Majesty's Face, we have brought our Brother Benjamin with us, I mean your Act of Oblivion. I take the Boldness to call it yours, for so it is by many Titles: Your Majesty first conceiv'd it at Breda, you help'd to contrive and form it here in England, and we must

The Speaker's Speech to the King.

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must all bear you witness, you labour'd and travell'd till it was brought forth: And since it had a Being, some question being made of its Legitimation, your Royal Heart is not at ease until it be confirm'd. And now, Sir, give me leave to say, By the Suffrage of a full, a free, and legal Parliament, it is presented to your Majesty to be naturaliz'd. Your Majesty's Desires are fully answer'd by all the Representatives of the People; and their hearty Prayer to God is, That all your Subjects may be truly thankful to you, and that your Majesty may long live to enjoy the Fruits of the unparallel'd Mercy. Your Majesty was pleased lately to intimate to us, That you so valu'd the Quiet and Satisfaction of your People, and the keeping of your royal Word, that tho' divers other Bills were made ready for you, you would vouchsafe the Honour to this Bill alone, your Favourite, to come and pass it. Sir, hereby you have made this a great Holiday, and we shall observe it with Joy and Thanksgiving. Upon such solemn Festivals, there used to be a second Service, and Anthem, and a Collect, or at least an Offering: My Anthem shall be, *Quid tibi retribuam, Domine?* And my Collect, a short Report of your Revenue.' Then mentioning the King's Patience, Providence, and Frugality abroad, in not bringing home any Debts for the Nation to pay, &c. he thus concluded: 'The Commons of England do by me their Servant humbly present you with this Bill, intitled, An Act for a free and voluntary Present, and wish it a Success answerable to your Royal Heart's Desire.'

In the passing of the two Bills mentioned in the Speaker's Speech, the King himself spoke as follows:

The King's Speech at his passing two Bills.

'My Lords and Gentlemen,

'IT is a good time since I heard of your passing this Bill of Money, and I am sure you would have presented it to me sooner, if you had thought I had desired it; but the truth is, tho' I had need enough of it, I had no mind to receive it from you, till I might at the same time give my Assent to this other very good Bill that accompanies it, for which I long'd very impatiently. I thank you for both with all my heart; and tho' there are other good Bills ready, with which you will easily believe I am very well-pleas'd, and in which I am indeed enough concern'd, yet I chose rather to pass these two Bills together, and to pass them by themselves without any other, that you may all see, and in you the whole Kingdom, that I am at least equally concern'd for you and them, as for myself. And in truth it will be want of Judgment in me, if ever I desire any thing for myself, that is not equally good for you and them. I am confident you will believe that my Well-being

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'Being it of some Use and Benefit to you, and I am sure your Well-Being, and being well pleas'd, is the greatest Comfort and Blessing I can receive in the World. I hope you will be ready within a few Days to dispatch those other public Bills which are still depending before you, that I may come hither and pass all together, and then adjourn till Winter, when what remains may be provided for. The last Parliament by God's Blessing laid the Foundation of the Happiness we all enjoy; therefore I thought it but Justice to the Memory of it, to send you Bills for the Confirmation of what was then enacted; and I cannot doubt but you will dispatch what remains of that kind with all convenient Speed; and that you will think, that what was then thought necessary for the public Peace, ought not to be shaken now, or any good Man less secure of what he possesses, than he was when you came together. It is to put myself in mind, as well as you, that I so often mention to you my Declaration from Breda: And let me put you in mind of another Declaration publish'd by yourselves about the same time, and which I am perswaded made mine the more effectual, an honest, generous, and christian Declaration, sign'd by the most eminent Persons, who had been the most eminent Sufferers, in which you renounc'd all former Animosities, all Memory of former Unkindnesses, vow'd all imaginable Good will to, and all Confidence in each other. Therefore let it be in no Man's power to charge me or you with breach of our Word or Promise: Let us look forwards, and not backwards, and never think of what is pass'd, except Men put us in mind of it by repeated faults we had forgot, and then let us remember no more than what concerns those very Persons. God hath wrought a wonderful Miracle in settling us as he hath done; I pray let us do all we can to get the Reputation at home and abroad of being well-settled. We have Enemies and Envyers enough, who labour to have it thought otherwise; and if we would indeed have our Enemies fear us, and our Neighbours love and respect us, and fear us enough to love us, let us take all the Ways we can, that us the World cannot but take notice of your extraordinary Affection to me, and of the Comfort I take in that Affection, so that it may likewise take notice of your Affection to, and Confidence in each other; which will disappoint all Designs against the public Peace, and fully establish our joint Security.'

As the King seem'd on one hand to make it a Point to perfect the Act of Indemnity, the Commons, on the other,

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Proceedings against the Regicides.

appear'd as zealous to offer up Victims to the Memory of his Father. Accordingly they proceeded to the Confiscation of the Eſtates of twenty one Regicides deceaſed, viz. Pelham, Skippon, Edwards, Conſtable, Dean, Danvers, Moore, Alured, Stapeley, Frye, Allen, Maleverer, Blackſtone, Hammond, Bourchier, Horton, Pureſoy, Norton, Ewer, Ven, and Andrews. They likewiſe order'd the Lord Mounſon, Sir Henry Mildmay, and Mr. Robert Wallop, who had been favour'd, as the others had been, reſerv'd in the Act of Indemnity, to be brought to the Bar of the Houſe of Commons; where confeſſing their Crimes, a Bill was order'd to be brought in to confiſcate their Eſtates, as alſo Sir James Harrington and John Phelps, not yet apprehended: and it was farther order'd, 'That the Lord Mounſon, Sir James Harrington, and Sir Henry Mildmay ſhould be degraded of their ſeveral Honours and Titles; and that thoſe now in Cuſtody, and the other two, when apprehended, ſhould all be drawn upon Sledges with Ropes about their Necks, from the Tower of London to, and under the Gallows at Tyburn, and thence convey'd back to the Tower, there to remain Priſoners during their Lives.' Which Sentences were ſolemnly executed upon the 30th of January following.

As much Buſineſs being effected, and as many Acts prepared as cou'd well be compleated in a limited Time, the King came to the Houſe of Peers on the 30th Day of July, when he thought a Receſs very neceſſary. Being ſeated on his Throne, the Speaker of the Houſe of Commons preſented the ſeveral Bills for the Royal Aſſent, the Nature of which will be beſt underſtood by giving the Subſtance of his Speech to his Majeſty: 'Your loyal Houſe of Commons have with unwearied Labour conſulted for the Service of your Majeſty, and the Good of this Nation; and now the Fields grow white to Harveſt. In the great Field of Nature all Fruits do not grow ripe together, but ſome in one Month, ſome in another; So it is in the Courſe of our Proceedings: ſome of our Fruits are in the Bloſſom, when others are in the Bud; ſome are near ripe, and others fit to be preſented to your Majeſty. Amongſt the Number of our choiceſt ripe Fruits, we firſt preſent you with a Bill for the Safety and Preſervation of your Majeſty's Royal Perſon and Government; wherein we deſire it may be enacted, That if any Perſon ſhall compaſs, imagine, or deſign your Majeſty's Death, Deſtruction, or bodily Harm, to impriſon or reſtrain your Royal Perſon, or depoſe you, or ſhall levy War againſt your Majeſty, within or without your Realm, or ſtir up any foreign Power to invade you, and ſhall declare or expreſs ſuch

The Speaker's Speech at the breaking up of the Seſſion.

ſtch his wicked Intention by Printing, Writing, Preaching, or malicious and adviſed Speaking, being thereof legally convicted, ſhall be adjudg'd a Traytor. And becauſe much of our late Miſery took its Riſe from ſeditious Pamphlets, and Speeches from the Pulpits, it is provided, That if any Man ſhall maliciouſly and adviſedly publiſh or affirm your Majeſty to be an Heretic, or a Papiſt, or that you endeavour to introduce Popery, or ſhall ſtir up the People to Hatred or Diſlike of your Royal Perſon or Government, then every ſuch Perſon ſhall be made incapable of any Office or Employment, either in the Church or State. And if any Man ſhall maliciouſly and adviſedly affirm, That the Parliament begun in Weſtminſter the 3d of November 1640 is yet in Being, or that any Covenant or Engagement, ſince that Time impos'd upon the People, doth oblige them to endeavour a Change of the Government either in Church or State; or that either, or both Houſes of Parliament have a Legiſlative Power without your Majeſty; then every ſuch Offender, being thereof legally convict, ſhall incur the Penalties of a Premunire, mention'd in the Statute made 16th of Richard II.'

Anno 13 Car. II. 1661.

'In the next place, Sir, give me Leave, I beſeech you, without any Violence to the Act of Oblivion, to remember a ſad Effect of the Diſtempers in the laſt Age: When the Fever began to ſeize upon the People, they were impatient till they loſt ſome Blood: The Lords Spiritual, who in all Ages had enjoy'd a Place in Parliament, were by an Act of Parliament excluded. Your Majeſty's Royal Grandfather was wont to ſay, No Biſhop no King: we found his Words true; for, after they were put out, the Fever ſtill increaſing, in another Fit the Temporal Lords follow'd, and the King himſelf. Nor did the Humour reſt there, but, in the Round, the Houſe of Commons was firſt garbled, and then turn'd out of doors. It is no wonder, when a Sword is put into a Mad-man's Hand, to ſee him cut off Limb by Limb, and then to kill himſelf. Your Majeſty is now happily reſtored to the Government, the Temporal Lords and Commons are reſtored to their Seats in Parliament, and ſhall the Church alone ſuffer? *Sit Eccleſia Anglicana libera, & habeat Libertates ſuas illæſas!* In order to this great Work, the Commons have prepared a Bill to repeal the Law made in the 17th Car. whereby the Biſhops were excluded this Houſe. Theſe noble Lords have all agreed, and now we beg your Majeſty will give it Life: Speak but the Word, Great Sir, and your Servants yet ſhall live.

'We cannot forget the Method, how our late Miſeries, like Waves of the Sea, came in upon us: Firſt the People

13 Car. II. Cap. 1. 1661.

were invited to Petition, to give colour to ſome illegal Demands: then they muſt Remonſtrate; then they muſt Proteſt; then they muſt Covenant; then they muſt Aſſociate; then they muſt engage againſt our lawful Government, and for the Maintenance of the moſt horrid Tyranny that ever was invented. For the prevention of this Practice for the future, we do humbly tender to your Majeſty a Bill entitled, An Act againſt Tumults and Diſorders, upon pretence of preparing or preſenting public Petitions or Addreſſes to your Majeſty or the Parliament. In the next place, we hold it our Duty to undeceive the People, who have been poiſon'd with an Opinion, That the Militia of this Nation was in themſelves, or in their Repreſentatives in Parliament: And according to the ancient known Laws, we have declared the ſole Right of the Militia to be in your Majeſty. And for aſmuch as our Time hath not permitted us to finiſh a Bill intended for the future ordering of the ſame, we ſhall preſent you with a Temporary Bill, for the preſent managing and diſpoſing of the Land Forces: And likewiſe another Bill, for the eſtabliſhing certain Orders for the Regulation and Government of your Majeſty's Navies and Forces by Sea. According to your Majeſty's Commands, we have examin'd many of the public and private Bills which paſs'd laſt Parliament, and have prepared ſome Bills of Confirmation. We have alſo aſcertained the Pains and Penalties to be impos'd upon the Perſons or Eſtates of thoſe Miſcreants who had a hand in the Murder of your Royal Father of bleſſed Memory, and were excepted in your Majeſty's Act of Oblivion: Wherein we have declared to all the World, how juſt an Indignation we had againſt that horrid Regicide. We have likewiſe prepared a Bill for the Collection of great Arrears of the Duty of Exciſe, which I do here, in the Name of the Commons of England, preſent unto your Majeſty.——Your Majeſty was pleas'd, at the Opening of the Parliament, to tell us you intended this Summer to take a Progreſs, and ſee your People, and at your Return hoped to bring a Queen home with you. Sir, this welcome News hath made us caſt about all Ways for your Accommodation; and therefore that no Conveniencies might be wanting for yourſelf, your Queen, or Attendants, we have prepared a Bill entitled, An Act for providing neceſſary Carriages in all your Royal Progreſſes and Removals. Your Majeſty was likewiſe pleas'd at our firſt Meeting, to ſay, You wou'd not tire us with hard Duty, and therefore about this Time intended a Receſs. That Royal Favour will now be ſeaſonable, and we hope advantageous to your Majeſty, and ourſelves. We know in our Abſence your Princely Heart and Head will not be free from Cares and Thoughts of

of our Protection: And when we leave our Hive, like the industrious Bee, we shall but fly about the several Countries of the Nation to gather Honey; and when your Majesty shall be pleas'd to name the Time, return with loaded Thighs unto our House again.

At the passing of the afore-mention'd Bills, the King made the following Speech.

The King's Speech at the same time.

'My Lords and Gentlemen,

'I Perceive by the thin Appearance of the Members of 'both Houses this Day, that it is high time to adjourn; 'In truth, the Season of the Year, as well as your par- 'ticular Affairs, require it, and therefore I do willingly 'consent to it. I thank you for the many Bills you have 'presented me with this Day, of which I hope the Benefit 'will redound to the whole Kingdom. I thank you for the 'Care you have taken for the Safety of my Person; which, 'trust Me, is the more valuable to Me, for the Conse- 'quence I think it is of to You; and, upon my Conscience, 'there is no body wishes ill to Me, but they who wou'd 'quickly revenge themselves of You, if they cou'd. I 'thank you for the Care you have taken of yourselves, of 'your own Safety and Honour, in the Act against Tumults 'and Disorders upon pretence of Petitions; to which Li- 'cence we owe much of the Calamities we have undergone: 'But I thank you with all my heart, indeed as much as I 'can do for any thing, for the Repeal of that Act which 'excluded the Bishops from Parliament: It was an unhap- 'py Act in an unhappy Time, pass'd with many unhappy 'Circumstances, and attended with miserable Events, and 'therefore I do again thank you for repealing it. You 'have thereby restored Parliaments to their primitive Insti- 'tutions; and I hope, my Lords and Gentlemen, you will 'in a short time restore them to the primitive Order, and 'Gravity of Debates and Determinations, which the Li- 'cence of the late distemper'd Times had so much corrupted; 'which is the only way to restore Parliaments to their pri- 'mitive Veneration with the People, which I heartily wish, 'they shou'd always have.

'My Lords and Gentlemen,

'You are now going to your several Countries, where 'you cannot but be welcome for the Services you have 'perform'd here: I do very earnestly recommend the good 'Government and Peace of your Countries to your Care, 'and your Counsel, and your Vigilance. There are dis- 'temper'd Spirits enough, which lie in wait to do mis-

'chief,

Anno 13 Car. II. 1661.

'chief, by laying Reproaches upon the Court, upon the 'Government, Reproaches upon Me, and Reproaches upon You: your Wiſdoms and Reputations, and Authority 'will, I doubt not, weigh down their light Credit; and 'the old and new good Laws will, I hope, prevent any 'Miſchief they intend. However, you have done very 'well, and I do very heartily thank you for it, in declaring my ſole Right over the Militia, the queſtioning of 'which was the Fountain from which all our bitter Waters flow'd. I pray make haſte to put the whole Kingdom into ſuch a Poſture, that evil Men, who will not be converted, may yet chuſe to be quiet; becauſe they find 'that they ſhall not be able to do the harm they deſire to 'do. I know you have begun many Bills in both Houſes, 'which cannot be finiſh'd till your Meeting again; and 'that they may be finiſhed then, I forbear to make a 'Seſſions now, but am contented that you adjourn till the 'twentieth of *November*, when I hope, by God's Bleſſing, 'we ſhall come happily together again. In a word, my 'Lords and Gentlemen, I thank you for what you have 'done, and am confident, that what you have left undone 'you will diſpatch with all Alacrity, and to all our Satisfactions, at our next Meeting: And ſo you may adjourn 'till the twentieth of November.'

The ſecond Seſſion of the ſecond Parliament.

After a Receſs of almoſt four Months the Parliament met again, the Biſhops being likewiſe reſtor'd to their Seats in the Houſe of Peers, and were thus harangu'd from the Throne by his Majeſty.

The King's Speech to both Houſes.

'My Lords, and Gentlemen of the Houſe of Commons,

'I Know the Viſit I make you this Day is not neceſſary, 'is not of courſe; yet if there were no more in it, 'it would not be ſtrange that I come to ſee what you and 'I ſo long deſired to ſee: The Lords Spiritual and Temporal, and the Commons of England met together to 'conſult for the Peace and Safety of the Church and State; 'by which Parliaments are reſtored to their primitive 'Luſtre and Integrity. I do heartily congratulate with 'you for this Day. But, my Lords and Gentlemen, as my 'coming hither at this time is ſomewhat extraordinary: 'It is to ſay ſomething to you on my own Behalf, to ask 'ſomething of you for my ſelf; which is more than I 'have done of you, or of thoſe that met here before you, 'ſince my coming into England. I need not have done 'it to them; and, upon my Conſcience, I need not do 'it now. They did, and you do, upon all Occaſions, expreſs ſo great an Affection and Care of all that concerns 'me, that I may very well refer, both the Matter and Man-

'ner

Anne 13 Car. II. 1714.

'ner of your doing any thing for me, to your own Wiſ-
'doms and Kindneſs: And indeed, if I did think that what
'I am to ſay to you now did alone, or did moſt concern
'myſelf; if the uneaſy Condition I am in, if the Streights
'and Neceſſities I am to ſtruggle with did not manifeſtly
'relate to the public Peace and Safety, more than to my
'particular, otherwiſe than I am concern'd in the Public,
'I ſhould not give you this trouble this Day. I can bear
'my Neceſſities, which merely relate to myſelf, with pa-
'tience enough.

'Mr. Speaker, and you Gentlemen of the Houſe of Com-
'mons, I do not now importune you to make more haſte
'in the conſtant Revenue of the Crown, than is agreeable
'to the Method you propoſe to yourſelves: I deſire you ſe-
'rioufly to conſider the inſupportable Weight that lies up-
'on it, the Obligations it lieth under to provide for the In-
'tereſt, Honour and Security of the Nation in another Pro-
'portion than in any former times it hath been oblig'd to.
'I know very well, you have very affectionately and wor-
'thily taken all this into your Thoughts, and will proceed
'in it with as much Expedition, as I can reaſonably wiſh;
'but I come to put you in mind of the crying Debts which
'do every day call upon me for ſome neceſſary Proviſions,
'which are to be made without delay, for the very Safety
'of the Kingdom; of the great Sums of Money that
'ſhould be ready to diſcharge the ſeveral Fleets when they
'come home, and for the neceſſary Preparations that are
'to be made for ſetting out new Fleets to Sea againſt the
'Spring; that Revenue being already anticipated to as im-
'portant Services, which ſhould be aſſign'd to thoſe Prepa-
'rations. Theſe are the preſſing Occaſions which I am
'forc'd to recommend to you with all poſſible Earneſtneſs,
'and do conjure you to provide for as ſpeedily as poſſible,
'in ſuch a manner, as may give us ſecurity at home, and
'ſome Reputation abroad. I make this Diſcourſe to you
'with ſome Confidence, becauſe I am very willing, and
'deſirous, that you ſhould thoroughly examine whether
'theſe Neceſſities I mention, be real, or imaginary; or
'whether they be fallen upon us by my Fault, by my own
'Managery, or Exceſſes, and provide for them accordingly.
'I am very willing that you make a full Inſpection
'into my Revenue, as well the Diſburſements, as Receipts;
'and if you find it hath been ill manag'd by any Corrup-
'tion in the Officers I truſt, or by my own Unthriftineſs,
'I ſhall take the Information and Advice you ſhall give
'me very kindly: I ſay, if you find it; for I would not
'have you believe any looſe Diſcourſes, how confidently
'ſoever urg'd, of giving away eighty thouſand Pounds in a

'Morning.

Anno 13 Car. II. 1661.

'Morning, and many other Extravagancies of that kind, 'I have much more reason to be sorry, that I have not to 'reward those who have ever faithfully serv'd the King 'my Father, and myself, than asham'd of any Bounty I 'have exercis'd towards any Man.

'My Lords and Gentlemen, I am sorry to find that the 'general Temper and Affections of the Nation are not so 'well compos'd, as I hoped they would have been, after 'such signal Blessings from God Almighty upon us all, and 'after so great Indulgence and Condescensions from me 'towards all Interests. There are many wicked Instru-'ments still as active as ever, who labour Night and Day 'to disturb the public Peace, and to make all People jea-'lous of each other. It will be worthy of your Care and 'Vigilance, to provide proper Remedies for the Diseases 'of that kind; and if you find new Diseases, you must 'study new Remedies. Let us not be discourag'd; if we 'help one another, we shall by God's Blessing master all 'our Difficulties: These which concern Matters of Reli-'gion, I confess to you are too hard for me; and there-'fore I do recommend them to your Care and Deliber-'tion, which can best provide for them. I shall not need 'to recommend, or put you in mind of the good Corre-'spondence that ought to be kept between you for the Good 'of your selves, and me, and the whole Kingdom; and I 'may tell you, it is very necessary for us all. You will 'find whosoever doth not believe me, doth not love you; 'and they who have not Reverence for you, have little 'Kindness for me. Therefore, I pray, let us adhere fast 'to each other, and then we shall, with the Help of God, 'in a short time persuade, or oblige all Men to that Sub-'mission, and Obedience to the Law, as may constitute a 'full Measure of Happiness to Prince and People, and per-'suade our Neighbours to that Esteem and Value they have 'formerly had for us.'

Pursuant to this Speech the Parliament proceeded dili-gently to Business, and the better to preserve the Peace of the Nation, both Houses immediately agreed to petition for a Proclamation, 'For disarming the disbanded and ca-shier'd Officers and Soldiers, and to command them to de-part twenty Miles from the City of London, for such time as his Majesty shall think fit.' And the Commons, to shew their Readiness to assist the King in his Wants, on the same Day, voted, 'That the Sum of Twelve Hundred Thousand Pounds should be speedily paid and rais'd for the Supply of the King's Majesty's present Occasions;' and so pro-ceeded accordingly. For which the King soon after re-turn'd

A Vote for Twelve Hundred Thousand Pounds.

turn'd his hearty Thanks, and particularly expreſs'd, How exceeding much he was beholden to the Houſe of Commons for their great Gift, and the manner of it, in giving ſo freely. After which, he declared by a Meſſage to the Commons, ſignifying, 'That, making the Good of his People the Subject of his Thoughts, and conſidering that the calling in the Money, called the Commonwealth's Money, by the laſt of this Month, might be prejudicial to his People, and hazard the Exportation of a great Part thereof, he was graciouſly pleaſed, by the Advice of his Privy Council, to direct a Proclamation to be iſſu'd, ſignifying his Majeſty's Pleaſure to accept of the ſaid Money in any Payment to be made to him till the 25th Day of March next.' Anno 13 Car. II. 1661.

The firſt Parliament having reſpited the Puniſhments of ſeveral of the Regicides, as well thoſe that lay under Condemnation, as others not ſo flagrantly guilty of that Crime, the Houſes reſum'd the Matter, and on the 25th of November thoſe Regicides that came in upon Proclamation were brought to the Bar of the Houſe of Lords, to anſwer what they could ſay for themſelves, why Judgment ſhould not be executed againſt them. They ſeverally alledg'd, 'That, upon his Majeſty's gracious Declaration from Breda, and the Votes of Parliament, and his Majeſty's Proclamation, publiſhed by the Advice of the Lords and Commons then aſſembled in Parliament, they did render themſelves, being adviſ'd that they ſhould thereby ſecure their Lives; and humbly crav'd the Benefit thereof, and the Mercy of the Houſes, and their Mediation to his Majeſty in their Behalfs.' Harry Marten briskly added, That he had never obey'd any Proclamation before this, and hoped that he ſhould not be hang'd for taking of the King's word now. New Debates aroſe about them, and a Bill was brought in for their Execution, which was read twice, but afterwards dropt; and ſo they were all ſent to their ſeveral Priſons, and but little more heard of them. The Difficulty had like to have been the heavier upon them, by reaſon of ſeveral ſeditious Pamphlets publiſh'd about this time; and likewiſe by reaſon of a Meſſage from the King, deliver'd by the Lord Chancellor in a Conference between both Houſes. At which time the Chancellor declar'd, That the ſame did concern things of a high and dangerous nature, and that there had been a real Deſign, which had been forming ever ſince March laſt, to diſturb the Union and Peace of this Kingdom: And ſo proceeded to name ſeveral of the Parties engag'd, with the Manner and Contrivance of their barbarous Deſigns, and the Progreſs they had from time to time made therein. 'And that although their Deſigns were at preſent diſorder'd,

Proceedings againſt the Regicides renew'd.

Harry Marten's Plea.

The Chancellor's Declaration, concerning New Plots.

Anno 13 Car. II. 1660.

as to the effecting of them in this Town, to which end they made a general Invitation of disbanded Soldiers, and disaffected Persons, to resort hither about the 11th of this Month; yet they were still practising to put the same in execution in the Country: And that the Lords, to provide a Remedy against these Evils, had appointed a Committee of Twelve of their House, and desired that an answerable Number of the other House be join'd with the Lords, who might, during the Recess, examine the said traitorous Designs, and find out such Expedients, as they should perceive necessary for the preventing and suppressing them, and securing the Peace of the Kingdom.' All which they agreed to, and put in practice.

The King passes some Acts.

The next Day, which was the 20th of December, the Money Bill, and the three other Bills being ready for the Royal Assent, the King came to the House of Peers, where the Commons Speaker presented to his Majesty a Bill for granting Twelve Hundred and Sixty Thousand Pounds to the King, to be levy'd by an Assessment of Seventy Thousand Pounds by the Month, for Eighteen Months. At the passing of this Bill, the King, in a short Speech, 'gave 'very hearty Thanks to the House for their great Present, 'and declared, That he had receiv'd the Benefit of it 'before he had it; the Reputation thereof having given 'him Credit both at home and abroad: And that he 'was not more willing to give his Royal Assent to that Bill, 'than he should have been to pass any Bills whatsoever, 'which that House should present to him for his People's 'Good.' He likewise pass'd other three Bills at this time; the first, An Act for regulating Corporations; the second, For preventing vexatious Delays in Law-suits; and the last, For impowering his Majesty to make Leases of his Lands in the Dutchy of Cornwal. Upon the passing of which, the Parliament was adjourn'd to the 10th Day of January; and so breaking up, had a Recess for near three Weeks.

The Parliament adjourn'd for three Weeks.

And meets again.

The Parliament being again met, January 10, according to Adjournment, the joint Committee of Lords and Commons appointed to make enquiry during the Recess, into certain Plots about that time said to be on foot, gave in their Report, which (if we may judge by the Account deliver'd to the Lords by Chancellor Hyde) was so contriv'd as to render them as formidable as possible; tho' apparently, with little Foundation: notwithstanding which, they had such weight with the Commons, that they proceeded with all possible Expedition to establish the Security of the Crown, by uniting the Militia to the Prerogative, and that of the Church to the Act of Uniformity. After which, taking into consideration the State of the Revenue, and willing to render

render the King yet more easy on that Head, they offer'd great Encouragement to all who should advance Money by way of Loan to answer his present Necessities: But were prevented, February 28. by the following Message from his Majesty, delivered by Secretary Morrice, who inform'd the House, 'That he had Directions from his Majesty to desire 'the House, that they wou'd put a Supersedeas to any fur-'ther Debate upon the Bill for Permission to such Persons as 'should advance Money for his Majesty's present Occasions, 'to take Interest at Ten per Cent. That his Majesty, find-'ing the Bill might have some ungrateful Relish in it, re-'solv'd to put himself upon the greatest Streights, rather 'than adventure upon any Course, that might in the least 'seem to disgust this House, or prejudice his good Subjects; 'and therefore would endeavour to find some other Means 'to supply his present urgent Occasions, and desir'd the Bill 'might be laid aside.' This Message affected them so much, that they immediately returned their humble Thanks to the King for his Tenderness to his People, and order'd, 'That his Majesty be made acquainted, That this House 'would leave no means unattempted to advance his Ma-'jesty's Revenue, and supply his present urgent Occa-'sions.'

Anno 2 & 3 Gul. & Mar. 1691.

A Message from the King to the Commons.

The King finding his Necessities to increase, within ten Days after, order'd the House of Commons to attend him at Whitehall, in a Body by themselves: Which was accordingly done upon the first of March; when his Majesty, after some remarkable Acknowledgments of their extraordinary Services, and having declared, That he knew most of their Faces, and never hoped to find better Men in their Places, proceeded thus:

The King's particular Speech to the Commons alone.

'Mr Speaker, and you Gentlemen of the House of Commons,

'YOU will wonder now, after I have willingly made 'this just Acknowledgment to you, that I should la-'ment, and complain, that I, and you, and the Kingdom 'are yet without that present Fruit and Advantage, which 'we might reasonably promise ourselves, from such a Har-'mony of Affections, and an Unity in Resolutions, to ad-'vance the publick Service, and to provide for the Peace 'and Security of the Kingdom, that you do not expedite 'those good Counsels that are most necessary for both. I 'know not how it comes to pass, but for these many Weeks 'past, even since your last Adjournment, private and par-'ticular Business hath almost thrust the Consideration of 'the public out of doors: And in truth, I do not know 'that you are nearer settling my Revenue than you were 'at Christmas: I am sure I have communicated my Condi-

Anno 14 Car. II. 1662-3.

'tion to you without Reſerve; what I have coming in, 'and what my neceſſary Diſburſements are; and I am ex- 'ceedingly deceived, if whatſoever you give to me, be 'any other ways given to me, than to be iſſu'd out for your 'own Uſe and Benefit. Truſt me, it ſhall be ſo; and if 'you conſider it well, you will find that you are the richer 'by what you give, ſince it is all to be laid out, that you 'may enjoy the reſt in Eaſe and Security. Gentlemen, I 'need not put you in mind of the miſerable Effects which 'have attended the Wants and Neceſſities of the Crown. 'I need not tell you that there is a Republican Party ſtill in 'the Kingdom, which had the courage to promiſe them- 'ſelves another Revolution: And you know the only 'way, with God's Bleſſing, to diſappoint their Hopes, and 'reduce them from thoſe extravagant Deſires, is to let 'them ſee that you have ſo provided for the Crown, that 'it hath wherewithal to ſupport itſelf, and to ſecure you; 'which is all I deſire, and do deſire it only for your 'Preſervation. Therefore I do conjure you by all the 'Profeſſions of Affection you have made to me, by all the 'Kindneſſes I know you have for me, to betake yourſelves 'to ſome ſpeedy Reſolutions, and ſettle ſuch a real and 'ſubſtantial Revenue upon me, as may hold ſome propor- 'tion with my neceſſary Expences for the Peace and Ho- 'nour of the Kingdom; that they who look for Trouble 'at home, may deſpair of their Wiſhes; and that our 'Neighbours abroad, by ſeeing all is well at home, may 'have that value and eſteem for us, as may ſecure the 'Honour and Intereſt of the Nation, and make the Hap- 'pineſs of this Kingdom, and of this City, once more the 'Admiration and Envy of the World.

'Gentlemen, I hear you are very zealous for the Church, 'and very ſolicitous, and even jealous that there is not 'expedition enough uſed in that Affair. I thank you for 'it, ſince I preſume it proceeds from a good Root of 'Piety and Devotion: But I muſt tell you, I have the 'worſt luck in the World, if, after all the Reproaches of 'being a Papiſt, while I was abroad, I am ſuſpected of 'being a Presbyterian, now I am come home. I know 'you will not take it unkindly, if I tell you I am as zea- 'lous for the Church of England, as any of you can be, 'and am enough acquainted with the Enemies of it on all 'ſides: That I am as much in love with the Book of 'Common-prayer, as you can wiſh, and have prejudice 'enough to thoſe who do not love it, who, I hope, in 'time will be better inform'd, and change their minds; 'and you may be confident, I do as much deſire to ſee an 'Uniformity ſettled, as any amongſt you. I pray truſt me

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'in that Affair; I promiſe you to haſten the Diſpatch of it with all convenient Speed; you may rely upon me in it. I have tranſmitted the Book of Common-Prayer, with thoſe Alterations and Additions which have been preſented to me by the Convocation, to the Houſe of Peers, with my Approbation, that the Act of Uniformity may relate to it; ſo that I preſume, it will be ſhortly diſpatch'd there: And when we have done all we can, the well-ſettling that Affair will require great Prudence and Diſcretion, and the Abſence of all Paſſion and Precipitation. I will conclude with putting you in mind, that the Seaſon of the Year, and the Good you may do, will require a Receſs into the Country, where you will find that many Tares have been ſown in your Abſence: The Arrival alſo of my Wife, whom I expect the next Month, and the Neceſſity of my being out of Town to meet her, and to ſtay ſome time before ſhe comes hither, makes it very neceſſary that the Parliament break up before Eaſter, to meet again in the Winter: And that it may do ſo, I pray lay aſide all private Buſineſs, that you may in that time diſpatch the public ——— The mention of my Wife's Arrival puts me in mind to deſire you to put that Compliment upon her, That her Entrance into the Town may be with more Decency, than the Ways will now ſuffer it to be; and to that purpoſe, I pray you would quickly diſpatch and paſs ſuch Laws as are before you in order to the amending of thoſe Ways, and that ſhe may not find Whitehall ſurrounded with Water. I will detain you no longer, but do promiſe myſelf great Fruits of this Converſation with you, and that you will juſtify the Confidence I have in your Affections, by letting the World ſee, that you take my Concernments to heart, and are ready to do what I deſire for the Peace and Welfare of the Kingdom.'

This plauſible Speech is ſaid to have had ſuch an Effect, that they proceeded to comply with every Particular demanded in it, with all poſſible diſpatch: Accordingly they ſoon after prepar'd a Bill for Repairing the Streets and Highways in and about the Cities of London, and Weſtminſter; A ſecond (penal) againſt the People call'd Quakers: And, in ſettling the King's Revenue, appointed 60,000 l. to be diſtributed among the ſuffering Cavaliers, whoſe Loyalty had been their Ruin.

The Act of Uniformity, and ſeveral others being now ready for the Royal Aſſent, May 19, the King came to the Houſe of Peers, and being attended by the Commons, was, after certain introductory Compliments, harangu'd by their Speaker

Anno 12 Car. II. 1660.

The Speaker's Speech to the King.

Speaker with the following good Speech, as 'tis call'd by Mr. Archdeacon Echard.

'If your Majesty but please to cast your Eyes upon the Table, and behold the great Number of Bills that there present themselves before you, like so many Sheafs of Corn bound up, and ready to be housed; and will vouchsafe to see how both my Hands are fill'd with no light Presents from your loyal Commons; and if your royal Majesty, the great Lord of the Harvest, shall vouchsafe to crown this Day by your Concessions to our Desires, the World will then see how great a Duty your People chearfully pay both to your royal Person and your Government, and likewise how great a Zeal your Majesty hath, by the faithful Advice of your Lords and Commons, to settle the Church in her ancient Glory, and to restore the happy People of this Nation to their ancient Rights and Privileges. Some foreign Writers, that envy the Happiness of our Government, injuriously asperse this Nation with a reproachful Saying, That the Crown of England is only maintain'd by the Benevolence of the People, which is never granted, but in exchange of some royal Prerogative. Great Sir, we know the strongest Building must fall, if the coupling Pins be pull'd out; therefore our Care hath been to prepare such Constitutions, that the Prerogative of the Crown, and the Propriety of the People, may, like squared Stones in a well-built Arch, each support the other, and grow the closer and stronger for any Weight or Force that shall be laid upon them. We cannot forget the late disputing Age, wherein most Persons took a liberty, and some Men made it their Delight, to trample upon the Discipline and Government of the Church; the Hedge being trod down, the Foxes and the Wolves enter'd, the Swine and other unclean Beasts defiled the Temple: At length it was discern'd, the Smectymnian Plot did not only bend itself to reform Ceremonies, but sought to erect a popular Authority of Elders, and root out Episcopal Jurisdiction. In order to this Work, Church-Ornaments were first taken away, then the Means whereby Distinction or Inequality might be upheld among ecclesiastical Governors; then the Forms of Common Prayer, which, as Members of the public Body of Christ's Church, were enjoin'd us, were decry'd as superstitious, and in lieu thereof, nothing, or worse than nothing, introduced.' Your Majesty, having already restored the Governors and Government of the Church, the Patrimony and Privileges of our Chuchmen; we held it now our Duty, for the Reformation of all Abuses in the public Worship of God, humbly to present to your Majesty a Bill for the Uniformity of public Prayers, and Administration of Sacraments.

ments. We hope the God of Order and Unity will confirm the Hearts of all the People in this Nation, to ſerve him in this Order and Uniformity. Anno 14 Car. II. 1662.

Next to the Worſhip and Service of God, we apply'd ourſelves to the ſettling our great Concern the Militia: We have already, according to our Duties, and the Laws, declared the ſole Right of the Militia to be in your Majeſty: And we humbly tender your Majeſty a Bill for the better Regulation and Ordering the Standing Forces of the Nation; wherein we have taken care to make all things ſo certain, that your Lieutenants and their Deputies may know what to command, and all the People learn how to obey. And, becauſe our late Wounds are yet but green, and poſſibly before the Body politic be well purg'd, may incline to break out again, whereby your Majeſty may be forc'd to draw your Sword before your Treaſury be ſupply'd with Money, we have conſented that your Majeſty may raiſe for the three next enſuing Years, one Month's Tax in each Year, after the Rate of ſeventy thouſand Pounds *per Menſem*, if neceſſity ſhall ſo require. In the next place, according to your Majeſty's Commands, we have ſurvey'd the waſted Revenue of the Crown; and in purſuance of our Promiſes, do humbly propound to your Majeſty a fair Addition: We conſider'd that great Part of your Revenue is but for Life, and depends upon the Peace and Trade of the Nation, and therefore may be much impaired by foreign Wars; therefore we have ſought ſomething that might ariſe within our Walls, and not be ſubject to ſuch Contingencies. We fix'd at laſt upon thoſe Places where we enjoy our greateſt Comforts and Securities, our Dwelling-houſes; and, conſidering even that Security is ſecured to us by your Majeſty's Vigilance and Care in the Government, we have prepared a Bill, That all Houſes in this Kingdom, of the yearly Value of above twenty Shillings, and not inhabited by Alms-men, ſhall pay to your Majeſty, your Heirs and Succeſſors, two Shillings yearly, for every Chimney-hearth in each Houſe for ever. When the great Achitophels of our latter Age had by force raviſh'd the venerable Laws of this Nation, then every petty Artiſt in his way, yea the very common Beggars had the Confidence to offer Violence to their Chaſtity. We have therefore been conſtrain'd to prepare ſeveral Bills for the Regulation of Trade, our Cloathing-Trade, our Fiſhing-Trade, our Trade for Stuffs, our Trade for Silks; and for the better Maintenance of Intercourſe in Trade, to re-inforce our former Laws for maintaining the Highways, with ſome Additions for Decency and Pleaſure of Travellers. God in his Providence hath determin'd, That the

Anno 13 Car. II. 1662.

Poor we must have always with us: Some are made so by the immediate Hand of God; others by their Loyalty, Duty and Service to your royal Person, and your blessed Father; others by their own Wickedness and Idleness: We have taken care to relieve the first, to encourage the second, and to reform the last. Nor hath the Case of any private Person been unwelcome to us; those many private Bills that lie before your Majesty do enough confirm this Truth, That where we found it just and honourable, we have deny'd our helping Hand to none that pray'd it. And, now, great Sir, after these many Months most painful and faithful Service of your Majesty and our Countries, we hope we shall have leave to go home, to visit our Relations, to tell our Neighbours what great things your Majesty hath done for us, what great things, *absit Invidia Verbo*, we have done for your Majesty, and what great things God hath done for us all; and to pray Almighty God for his Mercy to this Nation, in the Continuance of your Majesty's long and happy Reign over us.'

At the passing of the forementioned Bills, the King made the following Speech.

The King's Speech to both Houses at the Prorogation.

'My Lords, and you Gentlemen of the House of Commons,
'I Think there have been very few Sessions of Parliament, in which there have been so many Bills, as I have 'passed this Day: I am confident, never so many private 'Bills, which I hope you will not draw into Example. It 'is true, these late ill Times have driven Men into great 'Streights, and may have oblig'd them to make Conveyances colourably, to avoid Inconveniences, and yet not 'afterwards to be avoided; and Men have gotten Estates 'by new and greater Frauds than have been heretofore 'practis'd: And therefore in this Conjuncture, extraordinary Remedies may be necessary, which hath induced me 'to comply with your Advice, in passing these Bills; but I 'pray let this be very rarely done hereafter. The good 'old Rules of the Law are the best Security; and let not 'Men have so much Cause to fear, That the Settlements 'they make of their Estates, shall be too easily unsettled, 'when they are dead, by the Power of Parliaments.

'My Lords and Gentlemen, You have so much oblig'd 'me, not only in the Matter of those Bills which concern 'my Revenue, but in the Manner of passing them, with 'so great Affection and Kindness to Me, that I know 'not how to thank you enough. I do assure you, and I 'pray assure your Friends in the Country, That I will apply all you have given me, to the utmost Improvement of

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'the Peace and Happineſs of the Kingdom; and will, with the beſt Advice and good Husbandry I can, bring my Expences within a narrower Compaſs. Now I am ſpeaking to you of my own good Husbandry, I muſt tell you, that will not be enough: I cannot but obſerve to you, That the whole Nation ſeems to me a little corrupted in their Exceſs of living. Sure all Men ſpend much more in their Clothes, in their Diet, in all their Expences, than they have uſed to do. I hope it hath only been the Exceſs of Joy, after ſo long Sufferings, that hath tranſported us to theſe other Exceſſes; but let us take heed that the Continuance of them doth not indeed corrupt our Natures. I do believe I have been faulty myſelf; I promiſe you, I will reform, and if you will join with me in your ſeveral Capacities, we ſhall by our Examples do more Good, both in City and Country, than any new Laws would do. I tell you again, I will do my Part, and I will tell ſome of you, if you do not do yours. I hope the Laws I have paſs'd this Day, will produce ſome Reformation with reference to the Multitude of Beggars and poor People which infeſt the Kingdom: Great Severity muſt be uſed to thoſe who love Idleneſs and refuſe to work, and great Care and Charity to thoſe who are willing to work. I do very heartily recommend the Execution of thoſe good Laws to your utmoſt Diligence; and I am ſure I need not put you in mind ſo to ſettle the Militia, that all ſeditious Inſurrections may not only be prevented, to which the Minds of too many are inclined, but that the People may be without reaſonable Apprehenſion of ſuch Inſecurity. You will eaſily believe, that it is very neceſſary for the public Juſtice of the Kingdom, and even for the Preſervation of the Reverence due to Parliaments, that I make this a Seſſion; and it will be worthy of your Wiſdoms when you come together again, to provide that there be not ſo great a Clamour againſt the multitude of Proteſtions. I will ſay no more, but renew my hearty Thanks to you all, and refer the reſt to the Chancellor.'

Anno 13 Car. II. 1661.

The Subſtance of the Lord Chancellor's Speech.

Accordingly the Lord Chancellor made a long and affecting Speech, of which ſome Account ought to be given. He told them, 'That they had, like the richeſt and nobleſt Soil, yielded the King two full Harveſts in one Year; and therefore it was but good Husbandry to lie fallow for ſome time. They had not only ſupply'd the Crown to a good degree for diſcharging many Debts and Preſſures, under which it even groan'd, and enabled it to ſtruggle with the preſent Streights and Neceſſities,

Anno 14 Car. II. 1662.

Debts not contracted, and Neceſſities not run into by Improvidence and Exceſs; but they had wiſely provided ſuch a conſtant growing Revenue, as might with God's Bleſſing preſerve the Crown from thoſe ſcandalous Wants and Neceſſities, as had lately expos'd it and the Kingdom to thoſe diſmal Miſeries, from which they were but even now buoy'd up: For whatſoever other humane Cauſes might be aſſign'd, according to the ſeveral Fancies of Men, of the late miſerable Diſtractions, they could not be ſo reaſonably imputed to any one Cauſe, as to the extreme Poverty of the Crown: The want of Power could never have appeared, if it had not been for the want of Money. They had therefore worthily provided for the Vindication and Manifeſtation of the one by the Bill of the Militia, and for the Supply of the other by the Act for the Additional Revenue; and he doubted not but both the preſent and ſucceeding Ages would bleſs God, and celebrate their Memories for thoſe two Bills, as the Foundation of their Peace, Quiet and Security. Then he proceeded to take notice, 'That the Spirit of Libelling was never more pregnant than at preſent; neither King, Parliament, Church, nor State could eſcape thoſe Strokes of the Tongue, from which God alone could preſerve the moſt innocent and excellent Perſons. Men, he ſaid, were no ways diſpos'd to remember the general excellent Temper of the Time of Queen Elizabeth, the bleſſed Reſignation of the People then to the Crown, the awful Reverence they then had to the Government, and to the Governors both in Church and State; but they remember, as if it was but Yeſterday, how few Subſidies Parliaments then gave to the Queen, how ſmall Supplies the Crown then had from the People, and wonder that the ſame Meaſures ſhould not give the ſame Reputation, and make the ſame Noiſe in Chriſtendom. But they were ſuperior to ſuch Reproaches, and well knew, that as to his preſent Majeſty, at leaſt two Parts of three, that have been given to him, have been iſſu'd out for Diſbanding Armies never raiſed by him, and for Payment of Fleets never ſent out by him, and of Debts never contracted by him. They alſo knew the vaſt Diſparity between the former Times and the preſent, upon the account of the mighty Encreaſe of Commerce, Naval Powers, and other extraordinary things, in the ſeveral Parts of the World; ſo that the Crown was now at the neceſſary Expence by Sea and Land, of eight hundred thouſand Pounds a Year, which formerly did not coſt it eighty thouſand Pounds a Year.

After this he proceeded to other Topics, and intimated the Neceſſity of making the People underſtand 'the Profit, Benefit

Benefit and Ease, which always attended a chearful Obedience, and Submission to Laws and Government; and declar'd that a little Pains, Kindness and Condescension in the Wise, towards the Weak, half the Diligence and Dexterity in Conversation and Example, which had been used to corrupt the People in their Loyalty and Understanding, would quickly reduce them to their primitive Temper, namely, to be the best Neighbours, and the best Friends, and the best Subjects in the World. And he doubted not but the great Piety and Devotion, the Moderation, Charity and Hospitality of the Bishops, in their several Dioceses, would in a short time recover the poor misled People: And tho' the Frowardness and Pride of some of their Teachers was not enough subdu'd; tho' some of the Clergy still repeated their old Errors, and did still discredit all their other Doctrine, with the Absence of any visible Repentance; yet he hoped the Laity would soon return into the Bosom of the Church, and easily discern the Fraud and Imposture of their Seducers; and that all Diligence would be used, heartily to reconcile both Clergy and Laity, by all Means which may prove effectual." Then speaking of the Sharpness of the new Laws, he intimated, That the Execution of them still depended upon the Wisdom of the most discerning, generous, and merciful Prince, who having had more Experience of the Nature and Humour of Mankind, than any Prince living, could best distinguish between the Tenderness of Conscience, and the Pride of Conscience, between the real Effects of Conscience, and the wicked Pretences to Conscience; who knew how to guard himself and the Kingdom from the Violence of a malicious corrupted Will and Understanding, and to secure both from the feeble Nets of deluded Fancies and Imaginations: In a word, a Prince of so excellent a Nature, and so tender a Conscience himself, that he had the highest Compassion for all Errors of that Kind, and would never suffer the Weak to undergo the Punishment ordain'd for the Wicked." Then he intimated to them, That many honest Persons, in the late Times, were misled by not discerning Consequences, who would as soon have renounc'd their Part in Heaven, as concurr'd in the first unwarrantable Action, if they had suspected what follow'd But the most dangerous Enemies to the public Peace, he said, were the Republicans, the Commonwealths-Men, who were every Day calling in the Aid of the Law, that they might overthrow the Law, which they knew to be their irreconcileable Enemy; a People restless in their Counsels, and no less punctual and industrious in their Correspondencies, abroad as well as at

Anno 1. Geo. II. 1727.

Anno 15 Car. II. 1662-3.

home: Therefore they could not be too vigilant and inquisitive as to those Men. Then speaking of the Happiness they had procured, he told them, 'That they wanted only one Blessing, the Arrival of their Queen, whom God had now safely brought to the Nation; a Queen of such rare Perfection in Body and Mind, of such great Endowments of Wisdom, Virtue, and Piety, that they might from her reasonably promise themselves all the Happiness they were capable of; and there could not be a more transcendent Instance of the King's Love and Passion for his People, than that he had stay'd these four Days to take his leave of them; and that he might give them this Day's Work, all these good Laws, had deny'd himself so long the enjoying the greatest Comfort he is assured of in this World.' Then exhorting them again to testify their Joy, and transmit it into their Countries, he, by the King's Command, prorogu'd the Parliament till the 18th Day of February.

The End of the Second Session of the Second Parliament.

The third Session.

On February 18, 1662-3. the Parliament met after a Recess of nine Months; upon which occasion his Majesty made the ensuing Speech to both Houses, from the Throne.

The King's Speech to both Houses.

'My Lords and Gentlemen,

'I Am very glad to meet you here again, having thought 'the time long since we parted, and have often wish'd 'you had been together to help me in some Occasions 'which have fallen out: I need not repeat them to you, 'you have all had the noise of them in your several Coun'ties; and, God be thanked, they were but noise without 'any worse Effects. To cure the Distempers, and com'pose the differing Minds among us, I set forth my Decla'ration of the 26th of December, in which you may see 'I am willing to set bounds to the Hopes of some, and 'to the Fears of others; of which when you shall have 'examin'd well the grounds, I doubt not but I shall have 'your concurrence therein. The truth is, I am in my 'nature an Enemy to all Severity for Religion and 'Conscience, how mistaken soever it be, when it extends 'to capital and sanguinary Punishments, which I am told 'were begun in Popish Times: Therefore when I say this, 'I hope, I shall not need to warn any here not to infer 'from thence, I mean to favour Popery. I must confess to 'you, There are many of that Profession, who, having 'serv'd my Father and my self very well, may fairly hope 'for some part of that Indulgence I would willingly afford 'to others who dissent from us: But let me explain my 'self, lest some mistake me herein, as I hear they did in

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'my Declaration: I am far from meaning by this a Tole-ration, or qualifying them thereby to hold any Offices or Places in the Government; nay further, I desire some Laws may be made to hinder the Growth and Progress of their Doctrines. I hope you have all so good an opinion of my Zeal for the Protestant Religion, as I need not tell you I will not yield to any thereof, nor to the Bishops themselves, nor in my liking the Uniformity of it, as it is now established; which, being the Standard of our Religion, must be kept pure and uncorrupted, free from all other Mixtures: And yet if the Dissenters will demean themselves peaceably and modestly under the Government, I could heartily wish I had such a power of Indulgence, to use upon occasions, as might not needlessly force them out of the Kingdom, or staying here, give them cause to conspire against the Peace of it. My Lords and Gentlemen, it would look like Flattery in me to tell you to what degree I am confident of your Wisdom and Affection in all things that relate to the Greatness and Prosperity of the Kingdom. If you consider well what is best for us all, I dare say we shall not disagree. I have no more to say to you at present, but once again to bid you heartily welcome.'

Anno 31 Car. II.

After this the Commons being withdrawn, appointed the 25th for taking into consideration, both his Majesty's Speech and the Declaration mentioned therein: At which time they unanimously resolved, That the Thanks of the House should be return'd to the King's Majesty for all that was contain'd in the Declaration, except what related to the Indulgence; with regard to which, they appointed a Committee (who chose Sir *Heneage Finch the King's Solicitor, for their Chairman) to draw up an Address, that, after several Amendments and Additions, was presented to his Majesty, by the Speaker on the 27th; and, after the particular Thanks for the several Parts of the Declaration, proceeded thus: 'It is with extreme Unwillingness and Reluctancy of Heart, that we are brought to differ from any thing which your Majesty has thought fit to propose: And tho' we do no way doubt, but that the unreasonable Distempers of Mens Spirits, and the many Mutinies and Conspiracies which were carried on, during the late Intervals of Parliament, did reasonably incline your Majesty to endeavour by your Declaration to give some allay to those ill Humours, till the Parliament assembled; and the Hopes of Indulgence, if the Parliament should consent to it; especially

The Commons Address in relation to the Indulgence.

* *Afterwards Attorney-General, Lord-Chancellor, and created Earl of Nottingham.*

Anno 13 Car. II. 1661-2.

clarly seeing the Pretenders to this Indulgence did seem to make some Titles to it, by virtue of your Majesty's Declaration from Breda: Nevertheless, we your Majesty's most dutiful and loyal Subjects, who are now return'd to serve in Parliament, from those several Parts and Places of your Kingdom, for which we were chosen, do humbly offer to your Majesty's great Wisdom, That it is in no sort adviseable that there be any Indulgence to such Persons, who presume to dissent from the Act of Uniformity, and the Religion established. For these Reasons, we have considered the Nature of your Majesty's Declaration from Breda, and are humbly of opinion, That your Majesty ought not to be press'd with it any farther; 1. Because it is not a Promise in it self, but only a gracious Declaration of your Majesty's Intentions, to do what in you lay, and what a Parliament should advise your Majesty to do; and no such Advice was ever given, or thought fit to be offered; nor could it be otherwise understood, because there were Laws of Uniformity then in being, which could not be dispens'd with, but by Act of Parliament. 2. They who do pretend a Right to that supposed Promise, put the Right into the hands of their Representatives, whom they chose to serve for them in this Parliament, who have pass'd, and your Majesty consented to, the Act of Uniformity: If any shall presume to say, That a Right to the Benefit of this Declaration doth still remain after this Act passed; 3. It tends to dissolve the very Bonds of Government, and to suppose a Disability in your Majesty and the Houses of Parliament, to make a Law contrary to any Part of your Majesty's Declaration, tho' both Houses should advise your Majesty to it.

We have also consider'd the Nature of the Indulgence propos'd, with reference to those Consequences which must necessarily attend it. 1. It will establish Schism by a Law, and make the whole Government of the Church precarious, and the Censures of it of no Moment or Consideration at all. 2. It will no way become the Gravity or Wisdom of a Parliament, to pass a Law at one Session for Uniformity, and at the next Session (the Reasons of Uniformity continuing still the same) to pass another Law to frustrate or weaken the Execution of it. 3. It will expose your Majesty to the restless Importunity of every Sect or Opinion, and of every single Person also, who shall presume to dissent from the Church of England. 4. It will be a cause of increasing Sects and Sectaries, whose Numbers will weaken the true Protestant Profession so far, that it will at least be difficult for it to defend it self against them: And, which

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o yet further considerable, those Numbers, which by being troublesome to the Government, and they can arrive to an Indulgence, will, as their Numbers increase, be yet more troublesome, that so at length they may arrive to general Toleration, which your Majesty hath declared against; and in time, some prevalent Sect will at last contend for an Establishment; which, for ought can be foreseen, may end in Popery. 5. It is a thing altogether without Precedent, and it will take away all means of convicting Recusants, and be inconsistent with the Method and Proceedings of the Laws of England. Lastly, It is humbly conceiv'd, that the Indulgence propos'd will be so far from tending to the Peace of the Kingdom, that it is rather likely to occasion great Disturbance. And on the contrary, That the asserting of the Laws, and the Religion established, according to the Act of Uniformity, is the most probable means to produce a settled Peace and Obedience throughout your Kingdom: Because the Variety of Professions in Religion, when openly indulg'd, doth directly distinguish Men into Parties, and withal gives them opportunity to count their Numbers; which, considering the Animosities that our of a religious Pride will be kept on foot by the several Factions, doth tend directly and inevitably to open Disturbance. Nor can your Majesty have any Security, that the Doctrine or Worship of the several Factions, which are all govern'd by a several Rule, shall be consistent with the Peace of your Kingdom. And if any Persons shall presume to disturb the Peace of the Kingdom, we do in all humility declare, That we will for ever, and on all occasions, be ready with our utmost Endeavours and Assistance to adhere to, and serve your Majesty, according to our bounden Duty and Allegiance.

To this Address, his Majesty gave this gracious Answer: That he gave them hearty Thanks for their many Thanks; that never any King was so happy in a House of Commons, as he in this; that the Paper and Reasons were long, and therefore he would take time to consider of them, and send them a Message; that they could never differ but in Judgment, and that must be when he did not rightly express himself, or they did not rightly understand him; but their Interest was so far linked together, that they could never disagree. According to this Promise, a little above a Fortnight after, on the 16th of March, he sent his Message to the House of Commons: That he was unwilling to enlarge upon the Address lately made to him by his House of Commons, or to reply to the Reasons, tho' he found what he said not much understood; but he renew'd his hearty Thanks to them, for their Expressions of so great Duty and Affection, and for their free Declaration, That if any Person shall presume to disturb

The King's Answer.

And Message.

Anno 1678.

the Peace of the Kingdom, they will for ever, and upon all occasions, be ready with their utmost Endeavours and Assistance, to adhere to, and serve his Majesty; and do very heartily desire them so to enable him, and to put the Kingdom into such a posture of Defence, as that if any Disturbance or Sedition Designs arose, they might be easily suppressed." To all which the House of Commons returned their particular Thanks and Promises.

The House having thus manifested their Zeal against Dissenters, proceeded next, in conjunction with the Lords, to draw up an humble Representation to the King, concerning Romish Priests and Jesuits; which was as follows:

Lords and Commons petition against Papists.

"The humble Representation and Petition of the Lords and Commons, sheweth, That notwithstanding your Majesty's unquestionable Affection and Zeal for the true Protestant Religion, manifested in your constant Profession and Practice, against all Temptations whatsoever; yet, by the great Resort of Jesuits and Romish Priests into this Kingdom, your good Subjects are generally much affected with Jealousy and Apprehension, That the Popish Religion has much increased in this Kingdom, which your Majesty has most piously desired may be prevented; and so the Peace both in Church and State may be unfeignedly disturbed, to the great danger of both. Your two Houses of Parliament are therefore humble Suitors to your Majesty, to issue out your Proclamation to command all Jesuits, and all English, Irish and Scottish Popish Priests, and all such other Priests as have taken Orders from the See of Rome, or by Authority thereof, (except such Foreign Jesuits and Priests, as by Contract of Marriage are to attend the Persons of either of the Queens, or by the Law of Nations ought to attend Foreign Ambassadors) to depart this Kingdom by a Day, under pain of having the Penalties of the Law inflicted upon them."

This Representation having been read to his Majesty, he immediately made the following Speech to both Houses:

The King's Reply to it.

"My Lords, and Gentlemen, You do not expect that I should give you an Answer presently to your Petition, yet I tell you, that I will speedily send you an Answer, which I am confident will be to your satisfaction. It may be the general Jealousy of the Nation hath made this Address necessary; and indeed I believe nothing hath more contributed to that Jealousy than my own Confidence, That it was impossible there should be any such Jealousy, and the Effects of that Confidence: But I shall give you Satisfaction, and then I am sure you will easily satisfy and compose the Minds of the Nation. I confess, my Lords and Gentlemen, I have heard of one Jealousy which

Anno 25 Car. II. 1673.

'which I will never forgive the Authors of, That I had 'a Jealouſy of your Affections, that I was offended with 'the Parliament to that degree that I intended to diſſolve it. 'They ſay Men are naturally moſt angry with thoſe Re- 'ports which reflect upon their Underſtanding, which make 'them thought weak Men: Truly, I ſhould appear a very 'weak Man, if I ſhould have any ſuch Paſſion, any ſuch 'Purpoſe. No, my Lords, and Gentlemen, I will not part 'with you upon thoſe terms! Never King was ſo much be- 'holden to a Parliament as I am to you, and if my Kindneſs 'to you and my Confidence in you be not proportionable, I 'am behind-hand with you; which, God-willing, I will 'not be.

'Mr. Speaker, and you Gentlemen of the Houſe of 'Commons, I am willing to take this occaſion to give you 'my particular Thanks for your great Kindneſs in taking 'hold upon an eaſy Intimation, rather than an Invitation 'from me, to enter upon the Conſideration of my Revenue: 'It was kindly done, and I ſhall never forget it. I have 'given order, that you may be fully inform'd of the true 'State of it, and then I know you will do that which is 'good for me, and you: And I pray purſue your good 'Reſolution, in putting the Kingdom into ſuch a poſture, 'that we may prevent, at leaſt not fear, any deſperate In- 'ſurrection.'

A ſecond Anſwer.

The King, according to his Promiſe, the very next day ſent an Anſwer to the Petition in Writing to the Houſe of Lords, which, in a Conference between both Houſes, was likewiſe deliver'd to the Commons, and was as follows:

'His Majeſty, having ſeriouſly conſider'd and weigh'd the 'humble Repreſentation and Petition of his Lords and Com- 'mons aſſembled in Parliament, and the great Affection 'and Duty with which the ſame was preſented to him; 'and after having made ſome Reflections on himſelf and 'his own Actions, is not a little troubled, that his Lenity 'and Condeſcenſions towards many of the Popiſh Perſua- 'ſion (which were but natural Effects of his Generoſity and 'Good-nature, after having lived ſo many Years in the 'Dominions of Roman-Catholic Princes; and out of a 'juſt Memory of what many of them had done and ſuffer- 'ed in the Service of his Royal Father of bleſſed Memory, 'and of ſome eminent Services perform'd by others of 'them, towards his Majeſty himſelf in the time of his 'greateſt Affliction) have been made ſo ill uſe of, and ſo 'ill deſerv'd, that the Reſort of Jeſuits and Prieſts into this 'Kingdom hath been thereby increas'd; with which his 'Majeſty is, and hath long been highly offended. And 'therefore his Majeſty readily concurs with the Advice of 'his two Houſes of Parliament, and hath given order for

Anno 1 Car. II. 1685.

'the preparing and iſſuing out ſuch a Proclamation as is 'deſired, with the ſame Clauſe referring to the Treaty of 'Marriage, as was in the Proclamation, which, upon the 'like Occaſion, was iſſu'd out upon the Advice of both Houſes 'of Parliament, in the Year 1640. And his Majeſty will 'take farther care, that the ſame ſhall be effectual, at leaſt 'to a greater degree than any Proclamation of this kind 'hath ever been. And his Majeſty farther declares, and 'aſſures both his Houſes of Parliament, and all his loving 'Subjects of all his Dominions, that as his Affection and 'Zeal for the Proteſtant Religion and the Church of Eng-'land hath not been conceal'd, or untaken notice of in 'the World: ſo he is not, nor ever will be ſo ſollicitous for 'the ſettling his own Revenue, or providing any other 'Expedients for the Peace and Tranquillity of the King-'dom, as for the Advancement and Improvement of the 'Religion eſtabliſh'd, and for the uſing and applying all 'proper and effectual Remedies to hinder the growth of 'Popery; both which he doth in truth look upon as the 'beſt Expedient to eſtabliſh the Peace and Proſperity of all 'his Kingdoms.'

The King's Revenue taken into Conſideration.

The Houſe proceeded next, to take the State of the Revenue into Conſideration; and found upon Enquiry, according to the Account made by *Sir Philip Warwick, That the Whole did not amount to quite 1,100,000 l. But while they were thus employ'd, his Majeſty, by a Meſſage, demanded their Attendance at Whitehall, where he received them with the following Speech:

The King's Speech to the Commons alone.

'Mr. Speaker, and you Gentlemen of the Houſe of Commons,

'I Have ſent for you this Day to communicate with you, 'as good Friends ought to do, when they diſcover the 'leaſt Jealouſy growing, which may leſſen their Confidence 'in each other. It is a Freedom very neceſſary to be uſed 'between me and you: And you may all remember, That 'when there was lately a little Jealouſy amongſt you, upon 'ſomewhat I had ſaid or done, I made all the haſte I could 'to give you Satisfaction; for which you all return'd me 'your hearty Thanks; and were, I think, ſatisfy'd. Gentle-'men, it is in no Man's power, no not in your own power, 'to make me ſuſpect, or in the leaſt degree imagine it 'poſſible, That your Affections and Kindneſs is leſſen'd 'or diminiſh'd towards me. I know very well, That the 'People did never in any Age uſe that Vigilance and 'Circumſpection in the Election of Perſons of known and 'try'd Affections to the Crown, of your good Principles, 'and unqueſtionable Inclinations to the Peace of the 'Church and the State, for their Repreſentatives in Par-'liament,

* *Clerk of the Signet.*

liament, as they did when they chose you. You are the very same Men, who at your first coming together, gave such signal Testimonies of your Affection and Friendship to my Person, of your Zeal for the Honour and Dignity of the Crown, and liberal Support of the Government, and of your Horror and Detestation of those Men, whose Principles you discern'd keep them awake to take all Occasions to disturb the Peace of the Kingdom, and to embroil us in a new Civil War; which is as much their Endeavour now as ever, and it may be not enough abhorr'd by others, whose Principles and Ends are very different from them. You are the same Men, who, at your first Meeting, by a wonderful and chearful Harmony and Concurrence in whatsoever I could wish, gave me Reputation abroad and Security at home, made our Neighbours solicitous for our Friendship, and set a just Value upon it. And, trust me, such a Reputation is of such a vast Importance, as made my evil Subjects even despair of bringing their wicked Purposes to pass. And is it possible, that the same Persons can continue the same together, without the same Affection for Me? I am sure it is impossible!

'And yet, I must tell you, the Reputation I had from your Concurrence and Tenderness towards me is not at all improv'd since the Beginning of this Session: Indeed it is much lessen'd. And I am sure I never stood in more need of that Reputation than at present, to carry me through the many Difficulties, in which the Public is at least concern'd, as much as myself. Let Me and You think never so well of ourselves, if all the World knows or believes that we are poor, that we are in Extremity of Want, if our Friends think we can do them no Good, or our Enemies believe we can do them no harm, our Condition is far from being prosperous. You cannot take it amiss (you shall use as much Freedom with me) That I tell you there hath not appeared that Warmth in you of late in the Consideration of my Revenue, as I expected, as well from some of your Messages, as my own Confidence in your Care and Kindness. It hath been said to myself, That it is usual for the Parliament to give the Crown extraordinary Supplies upon emergent Occasions, but not to improve the constant Revenue of the Crown. I wish, and so do you, that nothing had lately been done in and by Parliaments but what is usual: But if ill Parliaments contrive the Ruin and Disinherison of the Crown, God forbid but good Parliaments should repair it, how unusual soever it is. If you yourselves had not in an extraordinary Manner improv'd my Re-

Anno 15 Car. II. 1663.

'venue, the Government could not have been ſupported; 'and if it be not yet improv'd to the Proportion you have 'deſign'd, I cannot doubt but you will proceed in it with 'your old Alacrity. I am very well contented that you 'proceed in your Inſpection; I know it will be to my Ad'vantage, and that you will neither find my Receipts ſo 'great, nor my Expences ſo exorbitant, as you imagine: 'And for an Evidence of the laſt, I will give you an 'Account of the Iſſues of the twelve hundred thouſand 'Pounds you ſo liberally gave me; one Penny whereof 'was not diſpoſed but upon full Deliberation with myſelf, 'and by my own Order, and I think you will all ſay for 'the public Service. But, Gentlemen, this Inquiſition 'cannot be finiſh'd in the ſhort Time we can now con'veniently ſtay together: And yet if you do not pro'vide before we part, for the better Paying and Collecting 'what you have already given me, you can hardly pre'ſume what it will amount to: and if you do not ſupport 'what you have already given me by ſome Addition, you 'will quickly ſee lawful Ways found to leſſen the Revenue 'more than you imagine: And therefore I cannot but 'expect your Wiſdoms will ſeaſonably and ſpeedily pro'vide a Remedy for that growing Miſchief. Believe me, 'Gentlemen, the moſt diſaffected Subjects in England are 'not more unwilling to pay any Tax or Impoſition you 'lay upon them, than I am to receive it: God knows I 'do not long more for any Bleſſing in this World, than 'that I may live to call a Parliament, and not ask or re'ceive any Money from them; I will do all I can to ſee 'that happy Day. I know the vaſt Burdens the Kingdom 'hath borne theſe laſt twenty Years and more; that it is ex'ceedingly impoveriſh'd: But, alas! What will that which 'is left do them good, if the Government cannot be ſup'ported; if I am not able to defray the Charge that is 'neceſſary for their Peace and Security? I muſt deal 'plainly with you (and I do but diſcharge my Conſcience 'in that Plainneſs) if you do not, beſides the improving 'my Revenue in the Manner I have recommended to you, 'give me ſome preſent Supply of Money to enable me to 'ſtruggle with thoſe Difficulties I am preſs'd with, I ſhall 'have a very melancholic Summer, and ſhall much ap'prehend the public Quiet.

'You have heard, I preſume, of the late Deſign in Ire'land for the Surprize of the Caſtle of Dublin, which was 'ſpread all over that Kingdom, and many Parliament-Men 'were engag'd in it. There is an abſolute Neceſſity that 'I forthwith ſend over a Sum of Money thither, for the 'Payment of the Army, and putting the Garriſons there

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'in good order. You will not doubt but that thoſe ſeditious Perſons there, had a Correſpondence with their Friends here: And I pray let us not be too careleſs of them. I aſſure you, I have ſo great Occaſion for Money here, which my Revenue cannot ſupply me with, that I every day omit the doing ſomewhat that is very neceſſary for the public Benefit. Theſe ſure are juſt Motives to perſuade you to give me a Supply, as ever mov'd a Houſe of Commons. And therefore I conjure you to go chearfully about it, and let me not be diſappointed in my Confidence of your Affections: And I pray remember the Seaſon of the Year; and how neceſſary it is that we make a Receſs at or about Midſummer. I have enlarg'd much more to you upon this Occaſion than I have uſed to do; and you may perceive it hath not been very eaſy to me: But I was willing that you ſhould underſtand from myſelf what I deſire, and expect from you: and the rather, becauſe I hear ſome Men have confidently undertaken to know my Mind, who have had no Authority from me, and to drive on Deſigns very contrary to my Deſires. I do pray heartily that the Effect of this Day's Converſation may be the renewing of our Confidence in each other, and raiſing our joint Reputation, which will be our ſtrongeſt Security, with God's Bleſſing, the Kingdom can have for its Peace, Plenty and full Proſperity: And upon my Word, you ſhall have great Comfort in what you ſhall do for me, upon this very earneſt and hearty Recommendation.'

'This Speech did not fail of its deſir'd Effect: The Houſe gave way to the King's Rhetoric, and ſoon after, voted him four Subſidies. The Buſineſs of the Seſſion being now over, his Majeſty repair'd to the Houſe of Peers, and the Speaker having preſented the Bills which were ready for the royal Aſſent, accompanied them with the following Speech: 'The Knights, Citizens, and Burgeſſes of the Commons Houſe of Parliament, have, ſince their laſt Meeting, in many weighty and arduous Affairs preſented your Majeſty with their humble Advice; which with all Thankfulneſs they acknowledge, never wanted a moſt gracious Reception. Never any Prince did ſo freely commune with his People, and never any People did with more Joy and Duty commemorate their Happineſs. The laſt Seſſion of Parliament our Care was chiefly to ſecure the Being of this Nation under our ancient, happy, monarchical Government: This Seſſion we have endeavour'd to advance the Peace and Well-being both of Church and State. Material Structures are beſt ſecured by deep Foundations in the Earth; but the Founda-

Four Subſidies voted.

The Speaker's Speech to the King at the Prorogation.

Anno 1 Geo. II. 1689.

Foundations of true Happineſs are from above; We have therefore in the firſt Place peruſed the Laws, which enjoin the Obſervation of the Lord's-Day, and where we found any Defect either in the Rules or Penalties, we have with great Care ſupply'd them; well knowing, That he who doth not remember on the firſt Day of the Week to obſerve a Chriſtian Sabbath, will hazard, before the Week comes round, to forget he is a Chriſtian.——At the Opening of this Seſſion, your Majeſty was moſt graciouſly pleaſed to call upon us to prepare ſome Laws for the Prevention of the Growth of Popery; and we have heartily labour'd therein, both to prevent the Growth of Popery, and all ſorts of Sectaries and Nonconformiſts: But as the rankeſt Corn, and the fulleſt Ears are apteſt to be laid; ſo fares it in this matter, theſe Fruits are not yet ready for the Harveſt. But we are confident, by the Wiſdom of your Majeſty's Government, and the Readineſs of your faithful Subjects to ſupport it, by the juſt and true Execution of the Laws, theſe Perſons will either be perſuaded to Conformity, or forc'd into a peaceable and orderly Converſation.' Then, in the Name of the Commons of England, praying for one Proclamation againſt Papiſts, Sectaries, and Nonconformiſts; and another againſt Profaneneſs, Debauchery, and Licentiouſneſs, he proceeded thus: 'And for the better ſecuring the Peace of the Nation againſt the united Counſels of all the Diſſenters to our Religion, and eſtabliſh'd Diſcipline, we have prepared an additional Bill for the ordering the Forces of the Kingdom; whereby your Majeſty's Lieutenants, and the Deputy-Lieutenants, will be enabled to train, diſcipline, and keep together ſuch a Party as will be able to prevent Diſorders, and ſufficient to check any Inſurrections, till the great Body of the Militia can come in to their Aſſiſtance. During the late unhappy Wars in this Nation, our Neighbours Eyes were open to ſpy out all Advantages of ſpoiling our Trade, and to advance their own; but by the ſeveral good Bills here made ready for your Majeſty's royal Aſſent, we hope we ſhall reſtore and encreaſe the flouriſhing Trade of this Nation. Great Sir, I have but one Word more, and that is by Command from your Majeſty's loyal and dutiful Subjects, the Commons of England: They have duly conſider'd the preſent unſettled Condition of this Nation, and the great Expence which muſt attend ſuch Diſtractions: and do humbly beſeech your Majeſty to accept an Aid from them, conſiſting of four entire Subſidies; two of which are to be paid by the firſt of November next, and the other two by the firſt of May next following.

Upon

Upon the finishing of this, and passing some Bills, of which several were not expressly mention'd by the Speaker, the King made the following Speech to both Houses: Anno 11 Car. II. 1659.

The King's Speech to both Houses.

'My Lords and Gentlemen,

'I Thank you for the Present you have made me this Day; I hope your Countries will thank you when you come home for having done it. I am not conscious of having brought the Streights and Necessities I am in upon myself, by any Improvidence or Ill-husbandry of my own: I know the contrary, and I assure you, I would not have desir'd, or receiv'd the Supply you have given me, if it were not absolutely necessary for the Peace and Quiet of the Kingdom, as well as mine: And I must tell you, it will do me very little Good, if I do not improve it by very good Husbandry of my own; and by retrenching those very Expences, (which in many respects may be thought necessary enough.) But you shall see I will much rather impose upon myself, than you my Subjects; and if all Men will follow my Example in retrenching their Expences, (which it may be they may do with much more Conveniency than I can do mine) the Kingdom will in a very short time gain what you have given me this Day. I am very glad you are now going into your several Countries, where your Presence will do much Good: And I hope your Vigilance and Authority will prevent those Disturbances, which the restless Spirits of ill and unquiet Men will be always contriving, and of which I assure you they promise themselves some Effects this Summer. There have been more Pains and unusual Ways taken to kindle the old fatal Fears and Jealousies, than I thought I should ever have liv'd to have seen, at least to have seen so countenanc'd. I do desire you, and conjure you, my Lords and Gentlemen, to watch this evil Spirit and Temper with your utmost Care and Prudence, and secure the Persons of those whom you find possess'd with it, That the Peace of the Kingdom may not be sacrific'd to their Pride, Humour and Madness.

'I did expect to have had some Bills presented unto me against the several Distempers in Religion, against seditious Conventicles, and against the Growth of Popery: But it may be you have been in some fear of those Contradictions in Religion in some Conspiracy against the public Peace, to which I doubt Men of the most contrary Motives in Conscience are inclinable enough. I do promise you to lay this Business, and the Mischiefs which must flow from these Licences, to heart; and if I live to meet with you again, as I hope I shall, I will myself

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Anno 15 Car. II. 1663-4.

'take care to preſent two Bills to you to that end. And as 'I have already given it in charge to the Judges, in their 'ſeveral Circuits, to uſe their utmoſt endeavours to prevent 'and puniſh the ſcandalous and ſeditious Meetings of Sectaries, and to convict the Papiſts; ſo I will be as watchful, 'and take all the pains I can, that neither the one nor the 'other ſhall diſturb the Peace of the Kingdom. I ſhall not 'need to deſire you to uſe all diligence in levying and collecting the Subſidies you have given me, and heartily wiſh 'the diſtribution may be made with all Equality and Juſtice, 'and without any Animoſity or Faction, or remembring any 'thing that hath been done in the late ill Times; which you 'know we are all oblig'd to forget, as well as to forgive. 'And indeed till we have done ſo, we can never be in perfect Peace; and therefore I can never put you too much 'in mind of it. I think it neceſſary to make this a Seſſion, 'that ſo the Current of Juſtice may run the next two Terms, 'without any obſtruction by privilege of Parliament: And 'therefore I ſhall prorogue you till March, when I doubt 'not but by God's Bleſſing we ſhall meet again, to our joint 'Satisfaction; and that you ſhall have cauſe to thank me 'for what I ſhall have done in the Interval.'

The fourth Seſſion of the ſecond Parliament.

March 16, after an interval of near eight Months, the Parliament aſſembled again, and the King open'd the Seſſion with a Speech from the Throne as follows.

The King's Speech to both Houſes.

'My Lords and Gentlemen,

'YOU ſee, God be thanked, we have met together again 'at the Time appointed; and I do aſſure you, I have 'been ſo far from ever intending it ſhou'd be otherwiſe, 'that I do not know one Perſon who ever wiſh'd it ſhou'd 'be otherwiſe. Think therefore, I pray, what good meaning thoſe Men cou'd have, who from the time of the Prorogation to the Day of your meeting, have continually 'whiſper'd and induſtriouſly infus'd into the Minds of the 'People, that the Parliament ſhou'd meet no more; that 'it ſhou'd either be preſently diſſolv'd, or ſo continued by 'Prorogation, that they ſhould be kept without a Parliament. I pray watch theſe Whiſperers all you can, as 'Men who uſe their utmoſt endeavours to ſow Jealouſies 'between You and Me; and I do promiſe you they ſhall 'not prevail with me; and I do promiſe myſelf, they ſhall 'not prevail with you: And the truth is, we are both concern'd they ſhou'd not; and we ſhall then, with God's 'Bleſſing, prevent all the miſchief they intend.

'You may judge by the late Treaſon in the North, for 'which ſo many Men have been executed, how active the

'Spirits

Spirits of many of our old Enemies ſtill are, notwithſtanding all our Mercy. I do aſſure you, we are not yet at the bottom of that Buſineſs. Thus much appears manifeſtly, that this Conſpiracy was but a branch of that which I diſcover'd, as well as I cou'd, to you about two years ſince: and had been then executed nearer hand, if I had not, by God's Goodneſs come to the Knowledge of ſome of the principal Contrivers, and ſo ſecur'd them from doing the miſchief they intended. And if I had not, by the like Providence, had timely notice of the very Hour, and ſeveral places of their Rendevouz in the North, and provided for them accordingly, by ſending ſome of my own Troops, as well as by drawing the Train'd-Bands together, their Conjunction wou'd have been in greater numbers than had been convenient. You will wonder, but I tell true, they are, even now in thoſe parts, and at this time, when they ſee their Friends under Tryal and Execution, ſtill purſuing the ſame Conſultations: and it is evident they have Correſpondence with deſperate Perſons in moſt Counties, and a ſtanding Council in this Town, from which they receive their Directions, and by whom they were adviſ'd to defer their laſt intended Inſurrection. But thoſe Orders ſerv'd only to diſtract them, and came too late to prevent their Deſtruction. I know more of their Intrigues than they think I do; and I hope I ſhall ſhortly diſcover the bottom: In the mean time, I pray let us all be as watchful to prevent, as they are to contrive their Miſchief. I cannot omit upon this occaſion to tell you, that theſe deſperate Men, as appears by ſeveral Examinations, have not been all of one mind in the ways of carrying on their wicked Reſolutions. Some wou'd ſtill inſiſt upon the authority of the Long Parliament, of which they ſay they have Members enough willing to meet: Others have fancied to themſelves, by ſome computation of their own, upon ſome clauſe in the Triennial Bill, that this preſent Parliament was at end ſome Months ſince; and that for want of new Writs, they may aſſemble themſelves, and chuſe Members for Parliament: And this is the beſt expedient to bring themſelves together for their own purpoſes. For the Long Parliament, You and I can do no more to inform and compoſe the minds of all Men; let them proceed upon their Peril. But methinks there is nothing done to diſabuſe them in reſpect of the Triennial Bill. I confeſs, my Lords and Gentlemen, I have often myſelf read over that Bill; and tho' there is no Colour for the Fancy of the Determination of this Parliament, yet I will not deny to you, that I have always expected you would, and even admired you have not conſider'd the

Anno 16 Car. II. 1663-4.

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wonderful Clauses in that Bill, which pass'd in a time [illegible] unareful for the Dignity of the Crown, or Security of the People. I pray, Mr. Speaker, and you Gentlemen of the House of Commons, give that Triennial Bill once a reading in your House; and then, in God's Name, do what you think fit for me, and yourselves, and the whole Kingdom. I need not tell you how much I love Parliaments: Never King was so much beholden to Parliaments as I have been; nor do I think the Crown can ever be happy without frequent Parliaments. But assure yourselves, if I did think otherwise, I would never suffer a Parliament to come together by the means prescribed by that Bill.

'My Lords and Gentlemen, I must renew my thanks to you, for the free Supply you gave me the last Session of four Subsidies; yet I cannot but tell you, that the Supply is fallen much short of what I expected, or you intended. It will hardly be believed, yet you know it to be true, that very many Persons who have Estates of three and four thousand Pounds a Year, do not pay for their four Subsidies sixteen Pounds: So that whereas you intended and declared, that they should be collected according to former Precedents, they do not now arise to half the proportion they did in the time of Queen Elizabeth; and yet sure the Crown wants more now than it did then, and the Subject is at least as able to give. The truth is, by the Licence of the late ill Times, and ill Humour of this, too many of the People, and even of those who make fair promises, believe it to be no Sin to defraud the Crown of any thing that is due to it. You no sooner gave me Tonnage and Poundage, than men were devising all the ways they could to steal Custom; nor can the Farmer be so vigilant for the Collection, as others are to steal the Duties. You gave me the Excise, which all people abroad believe to be the most insensible Imposition that can be laid upon a People: What Conspiracies and Combinations are enter'd into against it by the Brewers, who I am sure bear not that Burden themselves, to bring that Revenue to nothing, you may hear in Westminster-Hall. You have given me Chimney-Mony, which you have reason to believe is a growing Revenue, for Men build at least fast enough; and you will therefore wonder that it is already declined, and this half Year brought in less than the former did. I pray therefore review that Bill; and since I am sure you wou'd have me receive whatever you give me, let me have the collecting and husbanding of it by my own Officers, and then I doubt not but to improve that Receipt, and will be cozen'd of as little as I can.

'I will conclude with conjuring you, my Lords and Gentlemen, to keep a very good Correspondence together, that it may not be in the power of any seditious or factious Spirits to make you jealous of each other, or either of you jealous of me; till you see me pretend one thing, and do another, which I am sure you have never yet done. Trust me, it shall be in no body's power to make me jealous of you. I pray contrive any good short Bills, that may improve the Industry of the Nation; and since the Season of the Year will invite us shortly to take the Country Air, I desire you wou'd be ready for a Session, within two Months or thereabouts, and we will meet next earlier in the Year. And so God bless your Counsels!'

Anno 1693.

In compliance with these Instructions from the Throne, the House immediately set about repealing the obnoxious Triennial Bill, which they stigmatiz'd as derogatory to the Prerogative of the Crown, and, as a sort of compensation, prepar'd another short one, which provided that Parliaments should not be intermitted above three Years. This was no sooner ready, tho' the only one, but his Majesty went to the House on purpose to give the royal Assent to it; which he accompanied with the ensuing Speech.

The King's Speech upon the repealing the Triennial Act.

'My Lords and Gentlemen,

'YOU will easily believe that I have come very willing to give my Assent to this Bill. I do thank you very heartily for your so unanimous concurrence in it, and for your desiring me speedily to finish it. And if I understand any thing that concerns the Peace and Security of the Kingdom, and the Welfare of my Subjects (all which I study more than my Prerogative, and indeed I consider my Prerogative in order only to preserving the other) every good Englishman will thank you for it: For the Act you have repeal'd could only serve to discredit Parliaments, and to make the Crown jealous of Parliaments, and Parliaments of the Crown, and persuade neighbour Princes that England was not govern'd under a Monarch. It cou'd never have been the occasion of frequent Parliaments. I do promise you, I will not be an Hour the less without one for this Act of Repeal; nor I am sure will you be the less kind to me in Parliament. I do again thank you for your excellent Temper and Respect to me, and desire you so to proceed, that the Session may be within the time I proposed to you last. And I do assure you upon my word, and I pray believe me, that I will have no other thoughts or designs in my Heart, but to make you all happy in the support of the Religion and Laws established: And if my own wants and necessities are at

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'any time grievous to me, it is only as I apprehend I may 'not be able ſufficiently to provide for thoſe, and for the 'Peace and Security of the Kingdom. And therefore I am 'confident, that you and I, who agree in the End, ſhall 'never differ in the Way.'

About this time, the Dutch growing out of favour at Court, it was repreſented in the Houſe, that by the Advances they had lately made in Trade; our own was become in danger; which gave place to the following Reſolution both of Lords and Commons, *viz.* 'That the Wrongs, Diſhonours, and Indignities done to his Majeſty by the Subjects of the United Provinces, by invading his Rights in India, Africa, and elſewhere; and the Damages, Affronts, and Injuries done by them to our Merchants, are the greateſt Obſtructions of our foreign Trade: and that the ſame be humbly and ſpeedily preſented to his Majeſty; and that he be moſt humbly mov'd to take ſome ſpeedy and effectual Courſe for Redreſs thereof, and all other of the like nature, and for prevention of the like in future: And in proſecution thereof, they will, with their Lives and Fortunes, aſſiſt his Majeſty againſt all Oppoſitions whatſoever.' Upon this Occaſion both Houſes waited upon his Majeſty at the Banquetting-Houſe on the 27th of April, and the next day received this following Anſwer in Writing:

Reſolution of the Lords and Commons againſt the Dutch.

The King's Anſwer.

'His Majeſty, having conſider'd the Addreſs made to him 'by his two Houſes of Parliament, is very well pleas'd 'with the great Zeal they have expreſs'd for the Advance- 'ment of the Trade of this Kingdom, and removing all 'Obſtructions which may hinder the ſame; being wholly 'convinc'd, That it is that which contributes moſt to the 'Honour and Glory of the Nation, and the Proſperity of 'his People: And therefore his Majeſty will examine and 'peruſe the particular Complaints which have been re- 'preſented to his Parliament; and thereupon, according 'to their Advice, appoint his Miniſter at the Hague to 'demand ſpeedy Juſtice and Reparation from the States- 'General, and alſo uſe his utmoſt Endeavours to ſecure his 'Subjects from the like Violences for the future: In the 'proſecution of which, or upon the Denials of Juſtice, 'he depends upon the Promiſes of both Houſes to ſtand by 'him, and returns them his hearty Thanks for their free 'Declaration therein.' For which Royal Aſſurance, both Houſes return'd their humble and hearty Thanks; and here was the Foundation, and the firſt Step towards the firſt Dutch War.

Mr. Prynne cenſured.

Soon after this Mr. Prynne, having taken the liberty to alter the Draught of a Bill relating to Public-Houſes, having urg-

urged in his Excuſe, That he did not do it out of any ill Intent, but to rectify ſome Matters miſtaken in it, and to make the Bill agree with the Senſe of the Houſe; the Houſe order'd him to withdraw, and after Debate, being again called in, the Speaker acquainted him, That the Houſe was very ſenſible of this great Error and Miſtake in ſo ancient and knowing a Member as he was, to break ſo material and eſſential an Order of the Houſe, as to alter, amend, or interline a Bill after Commitment, without Order, Knowledge, or Direction of the Committee: But the Houſe, had conſider'd of his Anſwer and Submiſſion, and were content at this time, in reſpect thereof, to remit the Offence. Anno 18 Car. II. 1666.

The Buſineſs of the Seſſion being now brought to a period, the King came to the Houſe of Peers, May 17, and, being ſeated on the Throne, the Speaker made the following Speech to his Majeſty: 'At the Opening this Seſſion, your Majeſty was pleas'd to recommend ſeveral things to the Care of your two Houſes of Parliament; which we deliberately conſider'd, and unanimouſly preſented our humble Advice thereupon. The firſt thing we took into Conſideration, was the Act made in the 16th of the late King of glorious Memory for Triennial Parliaments: When we had given it a Reading, we found it derogatory to the eſſential Prerogative of the Crown, of Calling, Holding, and Diſſolving Parliaments: We found it unpracticable, and only uſeful to learn the People how to rebel; therefore we melted it down, extracted the pure Metal from the counterfeit and droſſy Allays, and then preſented it to your Majeſty to be new ſtamp'd, and made current Coin for the Uſe of the Nation. We do return our moſt humble Thanks to your Majeſty, that you were pleas'd to accept our Advice, and to paſs our Bill: but more eſpecially for thoſe gracious Expreſſions your Majeſty was pleas'd to uſe at that Solemnity, whereby we are aſſured not only of your perſonal Affection to Parliaments, but of your Judgment alſo, That the Happineſs of the Crown conſiſts in the Frequency of Parliaments. In the next place we review'd the Act for Chimney-Money, which we intended a great Branch of your Majeſty's Revenue, although by ſome Miſtakes it is fallen ſhort: And, in hopes your Majeſty may improve that Receipt, we have prepar'd a Bill for Collecting that Duty, by ſuch Officers as your Majeſty and your Succeſſors ſhall from time to time think fit to appoint.'

The Speaker's Speech to the King at the Prorogation.

'Whilſt we were intent upon theſe weighty Affairs, we were often interrupted by Petitions, and Letters, and Motions, repreſenting the unſettled Condition of

ſome

Anno 1675. some Counties, by reason of Fanatics, Sectaries, and Nonconformists: They differ in their Shapes and Species, and accordingly are more or less dangerous; but in this they all agree, they are no Friends to the Establish'd Government either in Church or State. And if the old Rule be true, *Qui Ecclesiæ contradicit, non est pacificus*, we have great reason to prevent their Growth, and to punish their Practice. To this purpose we have prepared a Bill against their frequenting of Conventicles, the Seed-plots and Nurseries of their Opinions, under pretence of religious Worship. "The first Offence is made punishable with five Pounds, or three Months Imprisonment, and ten Pounds for a Peer: The second Offence with ten Pounds, or six Months Imprisonment, and twenty Pounds for a Peer; but the third Offence, after a Tryal by a Jury, and the Tryal of a Peer by his Peers, the Party convicted shall be transported to some foreign Plantation, unless he lays down a hundred Pounds." *Immedicable Vulnus Ense rescindendum, ne Pars sincera trahatur.* We have had much Thought how to improve the Industry of the Nation, and prevent that Idleness and Licentiousness which too fast grow upon us, especially by excessive and disorderly Gaming: Men are not content to sport away their precious Time, and play away their ready Money, but to lose or pawn their Houses and Lands, their Manors, and their Honours also. For the Prevention of the Growth of this Disease, we have prepared a Bill to make Securities for Money won at Play, whether Real or Personal, to be void.

'We have examin'd also the Reasons of the Decay of Trade: In the first place, we found our Merchants undermin'd by Fraud and Practice, and sometimes beaten out in the East and West-Indies, in Turky, and in Africa, by our Neighbours the Dutch; who, besides the insufferable Indignities offer'd to your Royal Majesty and the Crown of England, have in a few years spoil'd your Subjects, to the Value of Seven or Eight Hundred Thousand Pounds. For Remedy whereof we have made our humble Address to your Majesty, and receiv'd a gracious Answer; and have no cause to fear but a short time will produce a just and honourable Satisfaction. The next Obstruction to our Trade, hath been a base degenerous Practice of some Seamen, who are willing to be robb'd by Pirates, that they may share in the Prize: We have therefore prepared a Bill for the Punishment of such traitorous Actions, and for the just Reward of those honest Seamen that shall preserve their Owners Goods, and manfully maintain the Honour of the English Nation. Some other Discoveries we have made, which

which may be the Subject Matter of future Bills; but in respect to your Majesty's Intimation of a short Session, we were not willing to attempt more than we could reasonably dispatch. And now, great Sir, give me leave with Joy, to remember the unparallel'd Unanimity that hath this Session attended our Counsels; Our Constancy and Resolution hath been try'd beyond the Precedent of former Parliaments, or any other Session of this Parliament. The Heathens were wont to observe and envy the Christians for their Unity and Love of one another, *Ecce ut invicem se diligunt CHRISTIANI!* And may the happy Correspondence between your Majesty, and your two Houses of Parliament, increase and grow to be the Envy of the World, till all your Majesty's Enemies are forced to cry, *Ecce ut invicem se diligunt ANGLICANI!*

Anno 13to Gu. III. 1701.

In passing these Bills mention'd by the Speaker, the King made the following Speech to both Houses:

'My Lords and Gentlemen,

'I Did desire and conjure you at the Opening this Session, that you would keep a very good Correspondence together, that it might not be in the power of any seditious and factious Spirits to make you jealous of each other, or either of you jealous of me: And I desired you to be ready for a Session within two Months, or thereabouts. I must confess to you, you have comply'd very fully with me, for which I can never thank you enough: You have perform'd those good Respects towards me, and kept so very good Correspondence towards each other, that you have exceedingly disappointed those ill Men, who both at home and abroad had raised great Hopes and Expectations of new Troubles and Confusions. You have gratified me in all I desired, and are now ready for a Session within the time proposed. This Harmony will, with God's Blessing, make us all esteem'd abroad, and secure at home; and these Obligations cannot but make me think the time long till we meet again.

The King's Speech to both Houses at the Prorogation.

'This Season of the Year, and your own Affairs, will invite you into the Country; and your Presence there is of great Importance to my Service, and to the public Peace. You will watch those unquiet Spirits which are still lurking, and ready to embrace all Opportunities to involve the Nation in new Distractions, under what specious Pretences soever: And you will carefully inform the People how much it is in their own power to be as happy as they can wish to be. Indeed, if they are truly sensible of their present Happiness, it will quickly be improved. I will add no more, but that I thank you all,

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all, and every one of you. And if God bleſs us till November, we will meet here again: I name November to you, becauſe, if nothing extraordinary fall out, I reſolve not to meet till then: But becauſe ſomewhat extraordinary may fall out, you ſhall be at preſent prorogu'd but till Auguſt; and before that Day you ſhall have ſeaſonable notice by Proclamation not to give your Attendance, except there be occaſion, and then November will be the time.'

The fifth Seſſion of the ſecond Parliament.

After a Receſs of above ſix Months, the Parliament met again on November 24. When the Seſſion was open'd by his Majeſty, in a Speech from the Throne, as follows:

The King's Speech to both Houſes.

'My Lords, and Gentlemen,

'WHen we parted laſt in this Place, I did not think we ſhould meet here again till November, though I prorogu'd you but to a Day in Auguſt: But muſt now tell you, that if I could have ſuſpected, or reaſonably have imagined, that our Neighbours would have deal't ſo unneighbourly with me, and have forced me to make ſuch Preparations, as they have done, for my Defence, at ſo vaſt an Expence; I ſay, if I could have have foreſeen in Auguſt, that they would have treated me thus, I ſhould not have prevented your coming together then. Yet truly I have reaſon to be glad that it hath been deferred thus long: You have had leiſure to attend your own Conveniencies in the Country, and the public Service there; and I have been able to let our Neighbours ſee that I can defend myſelf and my Subjects againſt their Inſolence, upon the Stock of my own Credit and Reputation: And that, when I find it neceſſary for the Good of my People, I can ſet out a Fleet to Sea, which will not decline meeting with all their Naval Power, even before the Parliament come together; which I am perſuaded if they had believ'd poſſible, they would not ſo importunately have preſs'd me to it. I will not deny to you, I have done more than I thought I could have done, which I impute to the Credit your Vote gave me, and to the Opinion all Men had, That I did what you wiſh'd I ſhould do; by borrowing very liberally for my ſelf out of my own Stores, and by the kind and chearful Aſſiſtance the City of London hath given me, I have a Fleet now at Sea, worthy of the Engliſh Nation; and, to ſay no more, not inferior to any that hath been ſet out in any Age; and which (if I may uſe all freedom with you) to diſcharge to-morrow, and to repleniſh all my Stores would coſt me little leſs than Eight Hundred Thouſand Pounds. What hath paſs'd

'between

Anno 16 Car. II. 1664.

'between me and the Dutch, and by what Degrees, Accidents and Provocations, I have been neceſſitated to the Preparation and Expence I have made, you ſhall be told when I have done; I ſhall only tell you, that if I had proceeded more ſlowly, I ſhould have expos'd my own Honour, and the Honour of the Nation, and ſhould have ſeem'd not confident of your Affections, and the Aſſurance you gave me to ſtand by me on this Occaſion. That which I am now very earneſtly to deſire, and indeed expect from you, is, that you will uſe all poſſible Expedition in your Reſolutions, leſt that by unneceſſary Formalities the World ſhould think that I have not your chearful Concurrence in what is done; and that you are not forward enough in the Support of it, which I am ſure you will be: And that in raiſing the Supplies you take ſuch Order, that when the Expence is obvious and certain, the Supply be as real and ſubſtantial, not imaginary, as the laſt Subſidies were, which you will all well enough underſtand.

'Mr. Speaker, and you Gentlemen of the Houſe of Commons, I know not whether it be worth my pains to endeavour to remove a vile Jealouſy which ſome ill Men ſcatter abroad, and which I am ſure, will never ſink into the Breaſt of any Man who is worthy to ſit upon your Benches; That when you have given me a noble and proportionable Supply for the Support of a War, I may be induced by ſome evil Counſellors (for they will be thought to think very reſpectfully of my own Perſon) to make a ſudden Peace, and get all that Money for my own private Occaſions. I am ſure you all think it an unworthy Jealouſy, and not to deſerve an Anſwer. I would not be thought to have ſo bruiſh an Inclination to love War for War's ſake: God knows, I deſire no Bleſſing in the World ſo much as that I may live to ſee a firm Peace between all Chriſtian Princes and States. But let me tell you, and you may be confident of it, That when I am compell'd to enter into a War for the Protection, Honour and Benefit of my Subjects; I will, God-willing, not make a Peace, but upon the obtaining and ſecuring thoſe Ends for which the War is enter'd into: And when that can be done, no good Man will be ſorry for the Determination of it. To conclude, my Lords and Gentlemen, I conjure you all, in your ſeveral Stations, to uſe all poſſible Expedition, That our Friends and our Enemies may ſee, That I am poſſeſs'd of your Hearts, and that we move with one Soul, and I am ſure you will not deceive my Expectation.'

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This Speech was accompanied with a Narrative, concerning the Treaty and Manner of Proceedings with the Dutch; drawn up by the Lord Chancellor, and sign'd by his Majesty: which, as it seems, put the House in such good humour, that the very next Day they came to these two Resolutions, viz.

The Parliament unanimous for War.

First, 'That the humble Thanks of both Houses be presented to his Majesty for his most gracious Speech and Narrative, to his two Houses of Parliament, and his great Care of the Preservation of the Honour and Safety, and Trade of the Nation, by his Preparations for the Defence thereof against the Dutch; and that his Majesty would give leave that his Speech may be printed.' The next was, 'That the Thanks of both Houses of Parliament be given to the City of London for their Forwardness in assisting his Majesty; and in particular by furnishing him with several great Sums of Money towards his Preparations for the Honour, Safety, and Trade of this Nation.'

The great Resolve of the Commons for the raising 2,500,000 l.

At the same time the House of Commons let the King know, 'That they could not sufficiently express their Loyalty and Affection to his Majesty, nor the deep Sense which they all had of the Injuries and Violations committed by the Dutch: That they had considered the Burden of his Majesty's Expences, and the Necessity of his Naval Preparations; and begg'd leave to assure him of their Readiness and Constancy to yield him all the Duties of Assistance and Obedience, with their Lives and Fortunes. Accordingly they resolved, That Five and Twenty Hundred Thousand Pounds Supply shall be raised for his Majesty, in three Years, and applied towards the Maintenance of the Dutch War.' After which, both Houses adjourn'd till the 12th Day of January; when they again met, and the grand Money-Bill being ready for the Royal Assent, his Majesty came to the House of Peers, where Sir Edward Turner, the Commons Speaker, presented him with the Bill, with the following Speech:

The Speaker's Speech at the passing the Money-Bill.

'May it please your most excellent Majesty, The last Session of this present Parliament, the Lords and Commons did humbly present unto your Majesty the many Wrongs and Indiguities done to your Majesty, and the many Injuries done to your Merchants by the Subjects of the States-General of the United Provinces; and did most humbly beseech your Majesty, That some effectual Course might be taken for Redress thereof. Your Majesty at the Opening of this Session was graciously pleased to acquaint your two Houses, That in pursuance of their Desires, you had by your Agent required Satisfaction: But that Way prov'd ineffectual, and many fresh Provocations given, whereby your Majesty was necessitated

ceſſitated to a Warlike Preparation; by the ſpeedy Diſpatch whereof you had let your Neighbours ſee, That you could defend your ſelf and your Subjects againſt their Inſolence upon the Stock of your own Credit, before your Parliament came together. And now, Sir, give me leave to ſay; Your Neighbours may ſee, how a great King may be made greater by his Parliament. Your loyal Commons, after they had convened, did not ſuffer four and twenty Hours to paſs, before they moſt chearfully gave your Majeſty more than Four and Twenty Hundred Thouſand Pounds.——Great Sir, your Lords and Commons will not only yield Obedience with their Bodies, but with their Purſes alſo: In token whereof, I do, in the Name of all the Commons of England, preſent unto your Majeſty this Bill, whereby we have given unto your Majeſty a Royal Aid of Four and Twenty Hundred Seventy-ſeven Thouſand and Five Hundred Pounds, to be paid in three Years by twelve Quarterly Payments, to begin from the 25th of December laſt. And we do humbly beſeech your Majeſty to accept it as a pregnant Demonſtration of our moſt unfeigned Duty and Thankfulneſs to your Majeſty.' To which his Majeſty, in a ſhort Reply, 'return'd his 'hearty Thanks, with a generous Aſſurance, That the Mo-'ney ſhould be expended to the Advantage and Satisfaction 'of his People.'

Anno 17 Car. II. 1665.

After this, ſeveral other Bills being got ready for the Royal Aſſent, and a Prorogation being reſolv'd on, the King came to the Houſe of Peers, where Sir Edward Turner, the Commons Speaker, preſented the Bills with the following Speech, which beſt ſhews the Nature of them. 'May it pleaſe your moſt excellent Majeſty, The Knights, Citizens, and Burgeſſes of the Commons Houſe of Parliament, having in the Beginning of this Seſſion apply'd themſelves to the Aiding of your Majeſty in your Naval Preparations, have of late conſider'd of ſome Bills that may be moſt grateful to the People, either in redreſſing things that are grievous to them, or in advancing their Trade and Commerce; which are the Life and Soul of the Nation. Evil Manners produce good Laws; but the beſt Laws in time may grow obſolete: And ſuch is the wicked Nature of Man, that when he cannot by Force break through a Law, he will by Fraud and Tricks endeavour to evade it. I may with great truth affirm, the Common Law of England, is the beſt Municipal Law in the World; and yet if the Legiſlative Power were not ready to countermine the Works, and make up the Breaches that are daily made upon it, the Sons of Zeruiah would be too ſtrong for us. We have now preſented to

The Speaker's Speech at the Prorogation of the Parliament.

Anno 17 Car. II. 1664-5.

your Majesty several Bills for the Regulation of the Law which will serve to prune some exuberant Branches, and so pull away the Ivy that robb'd this Tree of her just Nourishment: And if your Majesty be now pleased graciously to shine upon her, she will flourish in great abundance, to the Content of your Majesty, and all your People.

'Cosmographers do agree, That this Island is incomparably furnished with pleasant Rivers, like Veins in the natural Body, which convey the Blood into all the Parts, whereby the whole is nourish'd and made useful. Therefore we have prepared some Bills for making small Rivers navigable; a thing that in other Countries hath been more experienced, and hath been found very advantageous: It eaſeth the People of their great Charge of Land-Carriages, preserves the High-ways, which are daily worn out with Waggons carrying excessive Burthens: It breeds up a Nursery of Watermen, which upon occasion will prove good Seamen, and with much more facility maintain Intercourse and Communication between Cities and Countries. We have been very much affected with the Cries and Wants of the Poor this hard Season, especially those who are about this Town, who are ready to starve for want of Fewel, the Price of Coals being so unreasonably enhanc'd by the extorting Engrossers. We have therefore, for their present and future Ease, prepared a Bill, authorising the Lord-Mayor and Court of Aldermen of the City of London, and three Justices of Peace within the County, from time to time to set the Prices of Coals, having regard to the Price paid by the Importer, and other emergent Charges. And now, great Sir, having finished our present Counsels, we hope your Majesty will give us leave to return for a time into our Countries, where in our several Spheres we shall be ready to serve you with our Persons and our Purses, and also with our Prayers to the great God of Hosts, That he will be pleased to strengthen your Hands in the Day of Battel, and make you victorious over all your Enemies, both at home and abroad.'

In passing these Bills, the King, in a short Speech, gave in special Charge to the Members of the House of Commons,

The King's Speech, on the Prorogation.

'THat upon their Return into their respective Countries, they would as well make it their business to see the Supply, they had now granted this Session, equally laid upon Particulars, that there might be no cause of Complaint; as he himself had made it his Royal Care that there might be no Disproportion upon the Countries themselves, by making

' ing an Abatement, where any of them appear'd over-' burden'd.' After which, he prorogu'd both Houſes till the 21ſt of June, then to the firſt of Auguſt, and laſtly to the 9th of October. Anno 25 Car. II. 1673.

In this place, it ought to be obſerved, that, whereas, before this Seſſion of Parliament (excepting during the Civil Wars and the military Government which follow'd it) the Clergy uſed to tax themſelves in Convocation, they were now included, like the reſt of their Fellow-Subjects, in every Money-Bill which paſs'd the Houſe of Commons; in conſideration of which, the parochial Clergy received the Privilege of voting like other Freeholders, in the choice of Members of Parliament.

The Plague raging in London and Weſtminſter, the Parliament met Octob. 9, at Oxford, where the Univerſity-Schools were prepar'd for the Reception of both Houſes: Notwithſtanding which, the King commanded both Houſes to attend him in the great-Hall at Chriſt-Church, and open'd the Seſſion with the following Speech. The firſt Seſſion of the ſecond Parliament, at Oxford.

' My Lords and Gentlemen,

' I Am confident you will believe, that if it had not been abſolutely neceſſary to conſult with you, I wou'd not have called you together at this time, when the Contagion hath ſo ſpread itſelf over ſo many parts of the Kingdom. I take it for a good Omen to ſee ſo good an appearance this Day; and I doubt not but every Day will add to your Number; and I give you all my thanks for your Compliance ſo far with my deſires. The King's Speech to both Houſes.

' The truth is, as I enter'd upon this War by your Advice and Encouragement, ſo I deſire that you may as frequently as is poſſible receive information of the Conduct and Effects of it; and that I may have the Continuance of your chearful Supply for the carrying it on. I will not deny to you, that it hath prov'd more chargeable than I could imagine it would have been: The addition they ſtill made to their Fleets beyond their firſt Purpoſe, made it unavoidably neceſſary for me to make proportionable Preparations, which God hath hitherto bleſſed with Succeſs in all Encounters. And as the Enemies have uſed their utmoſt endeavours, by Calumnies and falſe Suggeſtions, to make themſelves Friends, and to perſuade others to aſſiſt them againſt Us; ſo I have not been wanting to encourage thoſe Princes who have been wrong'd by the Dutch, to recover their own by Force: And in order thereunto, I have aſſiſted the Biſhop of Munſter with a very great Sum of ready Money, and am to continue a Supply to him, who is now in the Bowels of their Country,

' with

Anno 29 Car. II. 1677.

'with a powerful Army. These Issues, I may tell you, have been made with very good Conduct and Husbandry; nor indeed do I know, that any thing hath been done, that could have been well and safely saved. I say this Expence will not suffer you to wonder that the great Supply which you gave me for this War, in so bounteful a Proportion, is upon the matter already spent. So that I must not only desire Assistance from you to carry on this War, but such an Assistance as may enable me to defend myself and you against a more powerful Neighbour, if he shall prefer the Friendship of the Dutch before mine. I told you when I enter'd upon this War, that I had not such a brutal Appetite, as to make War for War's sake. I am still of the same mind: I am ready to receive any Propositions that France hath thought fit to offer to that End; but hitherto nothing hath been offer'd worthy my acceptance; nor are the Dutch less insolent; tho' I know no advantage they have had but the continuance of the Contagion. God Almighty, I hope, will shortly deprive them of such encouragement: The Chancellor will inform you of all the particulars.'

The Substance of the Chancellor's Speech.

Accordingly the Lord Clarendon, running over the whole Process of State-Affairs from the King's Restoration to the present Juncture, observed, 'That notwithstanding the Indignities his Majesty had received from Holland, during the late Usurpation, where he had been little less proscrib'd than in England, he was still pleas'd to embark himself from thence, when he was press'd by two neighbour Kings, from whom he had receiv'd more Civilities, to have made use of their Ports. That, being return'd, he found one thing that exceedingly surpris'd him, a thing incredible to Posterity, that a triumphant Nation, which, by its numerous Sea-Fights had reign'd over the Ocean, and made itself formidable to all Christendom, should at that time not have in all their Magazines, in all their Stores, Arms enough to put into the hands of five thousand Men, nor Provisions enough to set out ten new Ships to Sea: All which his Majesty, tho' he then liv'd upon credit, did not desire shou'd be known to his best Neighbours, howsoever assur'd of their Affections; therefore he did not so much as make it known to his Parliament: But he made it his first Care, without the least Noise, and with all imaginable shifts, to provide for the full Supply of these important Magazines and Stores, which had been ever since replenish'd as they ought. His Majesty had not only done this, but also had provided several Fleets against the Pyrates in the Mediterranean Sea, which had happily and honourably brought them to Submission. Then he related the Dutch's deserting of him in

those worthy Designs, and repeated the several Injuries and Insolencies committed by them; the necessity of vindicating the Rights and Honour of the Nation; the King's referring of this Cause to the Parliament, the Parliament's humble Desires of Redress; the States Preparations for War, in the whole Series and Success of the War, in which he represented the great Agony the King sustain'd upon the account of his Brother's Safety. Then speaking of the Mediation of the French, he says, 'The Dutch reproach them for interposing for Peace, instead of assisting them in the War, boldly insisting upon the advantage the Contagion gives them, alledging, that the King will be no longer able to maintain a Fleet against them; as if God had sent this heavy Visitation upon the Kingdom on their behalf, and to expose it to their Malice and Insolency. They load us with such Reproaches, as the civility of no other Language will admit the Relation. The truth is, they have a Dialect of Rudeness so peculiar to their Language, and their People, that it is high time for all Princes to oblige them to some Reformation, if they intend to hold Correspondence and Commerce with them.'

Anno Domini 1665

Having rous'd them with respect to foreign Enemies, he proceeded to take notice of their domestic Foes, 'Those unquiet, restless Spirits in their own Bowels, in whose Fidelity their Enemies abroad had more Dependance than upon their own Fleets. I must appeal, added he, to every one of your Observations, whether the Countenances of these Men have not appeared to you more erected, and more insolent in all places, since the beginning of this War, than they were before. In what readiness they were, if any Misfortune had befallen the King's Fleet, which they promised themselves, to have brought the Calamity into your Fields, and into your Houses, is notoriously known. The horrid Murderers of our late Royal Master have been received into the most secret Counsels in Holland; and other infamous prostituted Persons of our Nation are admitted to share in the Conduct of their Affairs, and maintain their Correspondence here upon liberal Allowances and Pensions. Too many of his Majesty's Subjects, who were sent by this Crown to assist and defend this ungrateful State against their Enemies, have been miserably wrought upon, for the keeping a vile, mean Subsistence, rather than their Livelihood, to renounce their Allegiance and become Enemies to their native Country; some of whom have wantonly put themselves on board the Enemy's Fleet, without Command or Office, purely out of appetite and delight to rebel against their King, and to worry their Country. Their Friends at home, impatient of further delays for the Success they had promised

Anno 17 Car. II. 1665.

promiſed themſelves, and for the Succours which others had promis'd to them, made no doubt of doing the Buſineſs themſelves, if they could but appoint a lucky day to begin the work. And you had heard of them in all places upon the third of laſt Month, their ſo much celebrated third of September, if the great Vigilance and indefatigable Induſtry of the good General, had not two days before apprehended the ſeditious Leaders, and given Advertiſement for the Security of others in moſt Parts of the Kingdom; by the Confeſſions of many of whom, their wicked Deſign is enough manifeſted, and ready for Juſtice: Yet ſome of the principal Perſons are not yet taken, and ſome others got themſelves reſcued after they were apprehended.—If you carefully provide for the ſuppreſſing your Enemies at home, which will put you to little other Expence than of Courage, Conſtancy and Circumſpection, you will find your Enemies abroad leſs exalted, and in a ſhort time more inclined to live in Amity with you, than to make War upon you; eſpecially when they ſee you do *In Bello Pacis quæro Negotium*, and that you take the carrying on the War to heart, as the beſt and only Expedient to produce a happy and honeſt Peace.

The Unanimity of both Houſes.

Upon this, and the King's Speech, the Houſe of Commons with great Unanimity came to theſe two preſent Reſolutions: 'Firſt, That the humble and hearty Thanks of this Houſe be return'd to his Majeſty for his Care and Conduct in the Preſervation of his People, and the Honour of this Nation: And that this Houſe will aſſiſt his Majeſty with their Lives and Fortunes againſt the Dutch, or any other that ſhall aſſiſt them in Oppoſition to his Majeſty. Secondly, That the humble Thanks of this Houſe be return'd to his Majeſty for the Care he hath had of the Perſon of his Royal Highneſs, the Duke of York.' To both which Votes the Lords gave their chearful Concurrence; and ſo both Houſes went in a full Body to attend his Majeſty upon this Occaſion.

1,250,000 Pounds voted.

The Commons, to make good their Promiſe, voted a new Supply of twelve hundred and fifty thouſand Pounds, to be rais'd by a proportionable Addition to the Monthly Aſſeſſment to begin at Chriſtmas next; all which they ſoon turn'd into a Bill. After which they brought in another Bill for a Month's further Aſſeſſment of a hundred and twenty thouſand Pounds, to commence from the Expiration of the former Aſſeſſment, to be granted to his Majeſty, with a deſire to his Majeſty to diſpoſe of it to his Royal Highneſs the Duke of York.

The Commons Thanks to the Univerſity.

Theſe, and ſeveral other Bills being finiſh'd, on the laſt day of the Seſſion, the Commons reſolved, That the Thanks of the Houſe be given to the Chancellor, Maſters, and Scho-

Scholars of the famous University of Oxford, for their eminent Loyalty to his Majesty, and his Father of ever-blessed Memory, during the late Rebellion; especially for their unparallel'd Zeal and Courage in refusing to submit to be visited by the usurped Powers, and to subscribe the Solemn League and Covenant, and for their excellent Reasons they publish'd to the World to justify their Refusal, and to assert his Majesty's righteous Cause. Their Thanks were, in a very solemn Manner, presented to the University in full Convocation by four of the House of Commons, * Mr. Laurence Hyde, and Sir Heneage Finch, Members for the University, and † Sir John Berkenhead, and ‡ Colonel Giles Strangewich; and all four were either now, or a little before, honour'd by the University with the Titles of Doctors of the Civil Law.

The same day that this Vote was made, October the 31st, the King came to the House of Peers in order to pass the several Bills, and to make a Prorogation: At which Time, the Commons being sent for, their Speaker, Sir Edward Turner, in presenting the Bills, deliver'd himself thus; 'May it please your most Excellent Majesty, The Knights, Citizens, and Burgesses of the Commons House of Parliament, in Obedience to your Majesty's Writ of Adjournment, came chearfully to this City of Oxford to receive your royal Commands. And when your Majesty was pleas'd to acquaint them with your great Expences this Summer, and the continuing Insolencies of the Dutch, they were so inflamed with an Affection and Zeal for your Majesty's Service, that they could not suffer the least Jundre of Time to pass before they had made a Return suitable to their Engagements, That they would assist your Majesty with their Lives and Fortunes against the Dutch, or any other that should assist them in opposition to your Majesty. The English Man useth to speak as he writes, and the English Parliament to speak as they think; No Security upon the Earth can be greater than the Engagement of your two Houses of Parliament; *Sic quid Verba audiam, cum Facta videam!* As a Demonstration of their Fidelity, I am commanded to present unto your Majesty this Bill, whereby they have given your Majesty twelve hundred and fifty thousand Pounds, to be levy'd in two Years, beginning from Christmas next, by quarterly Payments added to the former royal Aid: And that your Majesty's Occasions may be supply'd with ready Money, before the additional Aid can be rais'd, we have by the Bill prepared an undoubted Security for all such Persons as shall bring their Moneys into the public

The Speaker's Speech to the King at the Prorogation.

* *Master of the Rolls.* † *Vid. Appendix.* ‡ *One of the Masters of the Request, and Faculty-Office.*

Anno 17 Car. II. 1665.

Bank of the Exchequer. As the Rivers do naturally empty themſelves into the Sea, ſo we hope the Veins of Gold and Silver in this Nation will plentifully run into this Ocean, for the Maintenance of your Majeſty's juſt Sovereignty on the Seas.

'Great Sir, When firſt we beſought your Majeſty to correct the Inſolencies, and to repair your Subjects againſt the Rapines of the Dutch, we did reaſonably ſuppoſe, That the Juſtice of your Majeſty's Demands would at leaſt have had a fair and ingenuous Reception: but the Dutch reſolv'd with Machiavel, to keep by Force what they had got by Fraud, and to return their Anſwer by the thundering Noiſe of their Cannon: The great God of Hoſts, to whom Vengeance belongeth, hath eminently appeared in your Majeſty's Quarrel, and ſharply rebuk'd the Inſolence of that proud People. It is true, our Sins do cry aloud, as well as theirs; but God is pleaſed in Mercy to correct us himſelf, while by our hands he puniſhes them, and makes them fly before us: I hope his Mercy will invite us to a national Repentance, and 'if he be with us, who can be againſt us?' We can but take notice of the ſordid Defection of ſome Engliſh Fugitives, who have traitorouſly join'd with the Dutch, both in their Counſels and Actions, againſt your Majeſty, and this their native Country: We therefore have prepared a Bill, whereby they are enjoin'd to return by a Day, and anſwer to the Law, or elſe they ſhall be attainted of High-Treaſon. It hath been an old Obſervation, That ſcandalous Livings make ſcandalous Miniſters; and this moſt frequently falls out in Cities and Corporate-Towns, where are little or no predial Tythes, and therefore for mere Want they are forc'd to chant ſuch Tunes as may pleaſe the rich Men in their Pariſhes: For prevention of this for the future, there is a Bill prepared for the Uniting of ſmall Churches and Chapels in Cities and Towns-Corporate, by the Conſent of the Patron, reſerving other Parochial Rights diſtinct as they were before. This being a Time wherein your Majeſty needs great Supply, we held it our Duty to eaſe the People in ſome unneceſſary Expences; and therefore we have prepared a Bill for the more effectual Proceeding upon Diſtreſſes and Avowries for Rent; another to avoid Circuity of Actions; a Third to leſſen the Charge of neceſſary Suits in Law; and a Fourth to take away an ancient and burdenſome Fee in the Courts of Judicature, call'd Damage Cleer, or *Damna Clericorum*.

'*Tacitus* has a Saying, Such as are falſe in their Love, are true in their Hatred; and this we find verify'd in our Nonconformiſts: While they were in the Boſom of the

Church

Church of England, they were like Inward Vapours, and Inward Bleedings, always oppreſſing and ſtrangling the Body of the Church; and now they are rejected and excluded from the Miniſterial Function, they have more Malice, and no leſs Opportunity to propagate their Principles than they had before. Some of them are Objects of Pity; they ſubmitted their Reaſon to their Leaders of a higher Claſs, who failed them in their Hopes, and left them to the Rigour of the Law. Thoſe poor Creatures have ſeen their Errors, and felt the Smart, and would live peaceably; but their Jeſuitical Leaders keep up their Spirits, and herd with them in Cities and Corporate-Towns, where, by the Pretence of Perſecution and Self-denial, they move the Pity of good-natur'd People, who with their Charity keep up the Party, leſſen the Maintenance of Conforming Miniſters, and ſpread their Contagion amongſt the Youth of the Nation. For the Prevention of this growing Miſchief, we have prepared a Shiboleth, a Teſt, to diſtinguiſh amongſt them who will be peaceable, and give hopes of a future Conformity, and who, of Malice and evil Diſpoſition, remain obdurate: The one, we ſhall keep amongſt us with all Love and Charity; the other we ſhall exclude from Cities and Corporation-Towns, like thoſe that have an infectious Diſeaſe upon them. Anno 13 Car. II. 1661.

'It is not unuſual for the Commons, at the Cloſe of a Seſſion of Parliament, by their Speaker to [illegible] a Petition to their Sovereign; and, with your Majeſty's Leave, I am now commanded that Service: We do, with all humble Thankfulneſs, acknowledge to God our great Happineſs, That we are govern'd by a Prince, whoſe Prudence in Council, whoſe Valour in Action, and whoſe Fatherly Care in Protection of his People is eminent in all the World; and it is not the leaſt Mercy, both to your Majeſty and your People, That God has bleſs'd you with a Brother ſo like yourſelf. The Name of his Royal Highneſs is already enroll'd amongſt the Heroes of other Nations; but his native Country had not ſo great Experience of him, till your Majeſty was pleas'd, in this Summer's Expedition, to truſt him with the Conduct of the moſt royal Fleet that ever ſail'd upon the Britiſh Seas; wherein he ſhew'd that Proweſs and that Prudence, and, by the Bleſſing of Almighty God, was crown'd with that Succeſs againſt the Dutch, that we cannot paſs it by in Silence; and yet we are at a loſs how to expreſs our Thanks both to your Majeſty and him. I am commanded therefore to beſeech your Majeſty, That you will vouchſafe to let us make a Preſent to you of a Month's Tax, to come in the Rear after the twenty four Months of your

Anno 17 Car. II. A. D. 1665.

Majesty's royal Aid; and that your Majesty will be pleased to bestow it upon his Royal Highness. And now, Great Sir, I have no more, but to beseech Almighty God, who hath so miraculously preserv'd your royal Person, and your two Houses of Parliament, from all Sickness and Contagion during this Session, that he will be pleased to send Health throughout all the Nation; that he will crown all your Designs against your Enemies with Victory and Success, and give your Majesty a long and happy Reign over us."

The Seventh Session of the second Parliament.

September 21, the Parliament, after several Prorogations, and a long Recess of ten Months and three Weeks, met again at Westminster, where his Majesty from the Throne thus declared himself to both Houses:

The King's Speech to both Houses.

"My Lords and Gentlemen,

"I Am very glad to meet so many of you together again, "and God be thanked for our meeting together in this "Place; little time hath pass'd since we were almost in de- "spair of having this place left to meet in. You see the "dismal Ruins the Fire hath made; and nothing but a "Miracle of God's Mercy could have preserved what is "left from the same Destruction.

"I need make no Excuse for dispensing with your At- "tendance in April; I am conscious you all thank'd me for "it: The truth is, I desire to put you to as little trouble as "I can; and I can tell you truly, I desire to put you to as "little Cost as I can possibly. I wish with all my heart "that I cou'd bear the whole Charge of this War myself, "and that my Subjects shou'd reap the Benefit of it to them- "selves. But you have two very great and powerful Ene- "mies, who use all the means they can, fair and foul, to "make all the World concur with them; and the War "is more chargeable by that Conjunction, than any body "thought it wou'd have been. I need not tell you the Suc- "cess of this Summer, in which God hath given us great "Success; and no question but the Enemy hath undergone "great Losses; and if it had pleased God to have with-held "his last Judgment by Fire, we had been in no ill Condition. "You have given me very large Supplies for carrying on "the War: And I must tell you, if I had not, by anti- "pating my Revenue, rais'd a very great Sum of Money, "I had not been able to have set out the Fleet this last "Spring; and I have some Hope upon the same Credit to "be able to pay off the great Ships as they come in. You "will consider what is to be done next, when you are well "inform'd of the Expence; and I must leave it to your "Wisdoms to find out the best Expedients for the carrying "on this War with as little Burden to the People as "possible.

' poſſible. I ſhall add no more, but, that our Enemies Anno 18 Car. II.
' are very inſolent; and if they were able this laſt Year
' to perſuade this miſerable People, whom they ſo miſ-led,
' That the Contagion had ſo waſted the Nation, and impo-
' veriſhed us, that we could not be able to ſet out any Fleet,
' how will they be exalted with this laſt Impoveriſhment
' of this City, and contemn all reaſonable Conditions of
' Peace? And therefore I cannot doubt but you will pro-
' vide accordingly.'

Immediately upon this Speech the Commons unanimouſly reſolved, ' That the humble and hearty Thanks of this Houſe be returned to his Majeſty for his great Care in the management of the preſent War, and that this Houſe will ſupply his Majeſty proportionably to his preſent Occaſions; and that the Lords Concurrence be deſired to this Vote.' Soon after which, to make good their Promiſe, they voted a royal Aid of one Million and eight hundred thouſand Pounds for carrying on the preſent War. And on the 25th of September, in the Afternoon, both Houſes of Parliament, being agreed, attended his Majeſty in a Body at the Banquetting-Houſe in Whitehall, ' To manifeſt their hearty Concurrence in the Vote for ſupplying his Majeſty with whatſoever was neceſſary for the carrying on of the War.' On the 1ſt of October following, the Commons reſolved and voted, ' That the Thanks of this Houſe be given to his Majeſty for his great Care and Endeavour to prevent the burning of the City of London.'

The Commons Reſolve.

Soon after the Houſe began to be employ'd in enquiring into ſome Miſcarriages and Miſdemeanors, and deſign'd particularly to impeach the Lord Viſcount Mordant, Conſtable of the Caſtle of Windſor. Which Proceedings were thought too dilatory, and not ſo agreeable with the Exigencies of the Court. Therefore the King, on the 15th of December, ſent a particular Meſſage in Writing by Mr. Secretary Morrice to the Speaker, in theſe Words: ' His Majeſty is ſorry that the difficulty his Houſe of Commons hath met with, hath detain'd them ſo long without perfecting his Supply. His Majeſty cou'd wiſh, that the poſture of his Affairs would permit the giving of his two Houſes a ſhort Receſs at Chriſtmas: But the Seaſon of the Year being conſider'd, and how much the neceſſary Preparations againſt the Spring depend upon the Diſpatch of the Supply, he aſſures himſelf is preparing for him, he cannot think it conſiſtent with his Service, and the public Safety, to permit any Adjournment, except for the Chief Feſtival Days, until that, and the other moſt Public Bills, be diſpatch'd, which he deſires may be haſtned; and which his Majeſty ſhould

The King's Meſſage to the Commons.

be

Anno 18 Car. II. 1666.

be glad, if poſſible might be finiſh'd by Chriſtmas, as well for their Eaſe, as for his own Service. Notwithſtanding this, the Commons, tho' highly reſpectful to his Majeſty, proceeded their own way, and took their proper time for finiſhing the Supply.

1666-7.

After a ſhort Receſs in Chriſtmas, the Parliament met again on the ſecond of January; and the Houſe of Commons proceeded to Buſineſs with Vigour; but ſtill reſolv'd upon the Impeachment of the Lord Mordant, and accordingly drew up Articles of High Crimes and Miſdemeanors with the uſual Formality, the ſubſtance of which uncommon Accuſation was as follows: '1. That the ſaid Lord Murdant, being Conſtable of the Caſtle of Windſor, and Commander of the Garriſon there, underſtanding that one William Taleur Eſq; a loyal Perſon in Office in the ſaid Caſtle, and poſſeſs'd of certain Lodgings there appertaining to his Office, did intend to ſtand for one of the Burgeſſes of Windſor to ſerve in this preſent Parliament that met in 1661; ſome Weeks before the Election, to diſparage and prevent the ſaid William Taleur, and to ſtrike a Terror into thoſe of the Borough, by colour of a Warrant from his Majeſty, on the 17th of March, did by Soldiers forcibly eject the ſaid William Taleur, together with his big-belly'd Wife, Family and Goods out of the ſaid Lodgings and Caſtle; the rude Carriage of which Soldiers frighted a young Child out of its Wits, whereof it died ſoon after. 2. On the 23d of the ſaid Month, the ſaid Lord Mordant did command William Taleur to be forcibly ſeiz'd upon by his Soldiers in the Priſon of the Borough, out of the Precincts of the Caſtle, where he was a Priſoner for Debt, carry'd him out of the Priſon to the Caſtle, without any Warrant, and detain'd him Priſoner eleven Hours in a cold, low Room, notwithſtanding the Offer of two Thouſand Pound Bail. 3. That the ſaid Lord Mordant, during the Time of Mr. Taleur's Impriſonment, being told that he was the King's Servant, and had the great Seal for his Place as well as he, in high Contempt of the King's Authority, reply'd, He wou'd diſpoſe of his Places, and break the great Seal, and juſtify it when he had done. 4. That the ſaid Lord Mordant, in March 1664, by Letters and otherwiſe made ſundry uncivil Addreſſes to a Daughter of Mr. Taleur's; which ſhe rejecting, and threatning to acquaint his Lady with them, he ſwore a moſt dreadful Oath and Imprecation, he wou'd proſecute Her and her Family to all Eternity. 5. That on the 23d of November 1665, Mr. Taleur was by the Lord Mordant's Command forcibly diſpoſſeſs'd of certain Rooms in the Timber Yard belonging to the Caſtle, without the Walls, belonging to his Office of Paymaſter and Surveyor of

Articles of Impeachment againſt the Lord Mordant.

f the Caſtle. 6. That a Warrant ſurreptitiouſly ob- Anno 22 Car. II. 1669-70.
in'd from his Majeſty, dated November 30th, 1665, ut not produced till ſome Months after, for reſtraining Mr. Taleur from going out of the Caſtle, was directed o the ſaid Lord Mordant; who, without mentioning the King's Warrant, caus'd him again forcibly to be appre- ended in the Borough of Windſor, and carry'd to the Caſtle, where he was detain'd Priſoner twenty Weeks, five f which in cloſe Durance, contrary to the King's War- ant, which only reſtrain'd him to the Caſtle. 7. That, uring this Impriſonment, the ſaid Lord refuſed to obey a *Habeas Corpus* brought by Mr. Taleur; and when he was erv'd with another, he gave the Meſſenger reproachful Language, calling him Rogue for delivering the ſaid Writ, nd ſaying, That was all the Anſwer he would give to it. . That Mr. Taleur, when he was enlarg'd by an Order rom the King's Bench, fearing he ſhould be again ille- ally impriſon'd, did thereupon make application to his Lordſhip by Friends for a Reconciliation; who anſwer'd, le would never be reconcil'd to him, and threaten'd to mpriſon him again; and if he brought another *Habeas Corpus*, he would impriſon him again and again, and keep im Priſoner as long as he liv'd, and likewiſe turn him out f all his Offices. By reaſon of which Menaces, Mr. Ta- eur was forc'd to defer: his Wife, Family and Employ- nents at Windſor, and to abſent himſelf till this preſent eſſion of Parliament. For all which high Crimes and Miſdemeanors, the Commons of England demanded Juſtice, ondign Puniſhment, *&c.*'

Soon after this Impeachment, a Difference enſued between he Lords and Commons, concerning a Poll-Bill, and the aking the public Accounts; the firſt of whom were for oing it by Commiſſion from the King, and not by Bill, s was propoſed by the Commons. The conſequence of which was, that the Houſe in ſome heat reſolved, 'That The Lords and Commons diſagree. his Proceeding of the Lords in going by Petition to the King for a Commiſſion for taking the public Accounts, while there was a Bill ſent up by this Houſe, and depend- ng before them, for taking the Accounts another way, is nparliamentary, and of dangerous conſequence.' Within wo or three Days they likewiſe declared, 'That, ac- ording to the right and ſettled Courſe of Parliament pon Bills, neither a Bill, nor any Part thereof is to be ommunicated to his Majeſty by either Houſe, until the whole be agreed unto by both Houſes.' As to the Poll-Bill, the Lords in a free Conference inſiſted, among other hings, upon adding ſome Names to the Commiſſioners. To which the Commons diſagreed; but without the leaſt

aſſerting

Anno 19 Car. II. 1667-8.

aſſerting their peculiar Rights as to Money-Bills: They only gave this modeſt Reaſon for their Non-compliance, 'That it hath been obſerv'd, that in all Acts of Subſidies and of Poll-Money, the greater the Number of Commiſſioners, the leſs Money hath been rais'd; for many Commiſſioners incumber one another, and rather procure the Eaſe of themſelves, and their many Friends, than the Advance of the King's Service, and the public Benefit.'

The King paſſes ſome Bills, with a Speech.

During theſe Diviſions between the Houſes, the King underſtanding the Poll-Bill, and ſome others, to have paſs'd through both, on the 18th of January came to the Houſe of Peers, and paſs'd that and the reſt, with the following gracious Speech:

'My Lords and Gentlemen,

'I Have now paſs'd your Bills, and was in hopes to have had other Bills to paſs too: I cannot forget that within a few days after your coming together in September, both Houſes preſented me with their Vote and Declaration, That they would give me a Supply proportionable to my Occaſions. And the Confidence of this made me anticipate that ſmall Part of my Revenue which was unanticipated, for the Payment of the Seamen; and my Credit hath gone further than I had reaſon to think it would, but it is now at an end. This is the firſt day I have heard of any Supply, being the 18th of January; and what this will amount to, God knows; and what time I have to make ſuch Preparations as are neceſſary to meet three ſuch Enemies as I have, you can well enough judge. And I muſt tell you what Diſcourſes are abroad; I am not in any Treaty; but by the Grace of God I will not give over my ſelf and you, but will do what is in my power for the Defence of my ſelf and you. It is high time for you to make good your Promiſe, and it is high time for you to be in the Country, as well for raiſing of Money, as that the Lord-Lieutenants and Deputy-Lieutenants may watch the ſeditious Spirits which are at work to diſturb the public Peace: And therefore I am reſolved to put an end to this Seſſion on Monday next come Seven-night; before which time I pray let all things be made ready that I am to diſpatch. I am not willing to complain that you have dealt unkindly with me in a Bill I have now paſs'd, in which you have manifeſted a greater Diſtruſt of me than I have deſerv'd. I do not pretend to be without Infirmities, but I have never broken my word with you; and, if I do not flatter my ſelf, the Nation had never leſs cauſe to complain of Grievances, or the leaſt Injuſtice or Oppreſſion, than

'hath

'hath had in theſe ſeven Years it hath pleas'd God 'to reſtore me to you: I would be glad to be uſed ac- 'cordingly.' Anno 13 Car. II. 1661.

Notwithſtanding this intimidating Speech, the Commons proceeded with the Affairs before them; eſpecially the Impeachment of Lord Mordant, which had likewiſe given his Majeſty ſome offence.

Serjeant Maynard, Sir Robert Atkins, and Mr. William Prynne, *&c.* were appointed to manage the Evidence at the Hearing: And on the 26th of January, read the Articles before the Houſe of Lords; but with Diſſatisfaction obſerv'd, that, during the reading of them, the Lord Mordant was within the Bar of the Houſe. Of this the Commons complain'd, and mov'd, 'That, according to former Precedents in ſuch Proceedings, his Lordſhip might ſtand without the Bar of the Houſe.' And when one appeared as Council for him, beginning to plead in this Matter, they thought fit to interrupt him, acquainting the Peers, 'That his Lordſhip ought not to have any Council aſſign'd him to plead for him in matter of fact upon the Impeachment.' This caus'd a Conference, and indeed a Difference between the two Houſes: The Lords inſiſted upon their Rights and Privileges, and on the 4th of February confirm'd their Order for the Lord Mordant's ſitting within the Bar at his Trial, produc'd two Precedents for it, and declared themſelves ready for the Trial the next Morning. The Commons upon this were ſtill more diſſatisfy'd, and deſir'd a free Conference; in which matters were carry'd ſo high, that the Lords declared, 'That they deſired this Conference to preſerve a right Underſtanding between both Houſes; but inſiſted upon it, that they might deny a free Conference with the Commons, citing a Precedent, 12th *Jacobi*, where a free Conference was deny'd the Commons in point of one Impoſition; and that in point of Judicature (which the Lords inſiſted on to be only in the King and themſelves) they might deny the Commons a free Conference.

Further Diſputes between the Lords and Commons.

But all theſe Diſputes were ended on the Eighth of February, by the Appearance of the King in the Houſe of Peers, who ſent for the Commons in order to a Prorogation. Their Speaker Sir Edward Turner, having ſeveral Bills ready, preſented them with this following Speech to his Majeſty, which is the laſt we find that he made upon the like occaſion: 'May it pleaſe your moſt excellent Majeſty, Nothing conduceth more to the Happineſs of a Nation, than a right Underſtanding between the Prince and the People: And nothing more advanceth this Correſpon-

The Speaker's Speech to the King at the Prorogation.

Anno 19 Car. II. 1666-7.

dence, than frequent Meetings in Common Council. By the Wiſdom of our Fore-fathers, the Security of our Lives, our Liberties, and our Properties, is lodg'd in our Engliſh Parliaments; and ſo gracious have your Majeſty's Predeceſſors been, That, for the Satisfaction of their People, they have made ſeveral Laws, ſome for Triennial, ſome for Annual Parliaments. Your Majeſty by their Example, upon the humble Suit of your Lords and Commons, hath in a former Seſſion of this Parliament paſs'd an Act for Triennial Meetings in Parliament: But in this your Majeſty hath exceeded all your Predeceſſors, That as your happy Reſtoration was in a Convention of Parliament, ſo of your own accord, for the Public Good, and as a Demonſtration of your extraordinary Love to Parliaments, you have vouchſafed ever ſince your Return to converſe with your People in Parliament; this being the ſixth Year and ſixth Seſſion [ſeventh Meeting] of this preſent Parliament. The laſt time your Majeſty was pleaſed to ſpeak to us, you commanded us to make ready all things that you were to diſpatch this Seſſion: In obedience thereunto, we have with all Induſtry imaginable endeavour'd ſo to prepare thoſe Matters that were before us, that your Majeſty and the whole Nation may receive ſatisfaction in our Diſpatches. Firſt it concern'd us to keep our word with your Majeſty, in finiſhing that Supply, which we promiſed you for the carrying on the War. In order whereunto, I do here preſent unto your Majeſty this Bill of Eleven Months Aſſeſſments upon our Lands, to take place in a Poſt-Charge after the Additional Royal Aid now current is expired. This Act, together with the Poll-Bill lately paſſed, we conceive will fully make good the Million Eight Hundred Thouſand Pounds we promiſed to your Majeſty.

'We muſt for ever with Humility acknowledge the Juſtice of God in puniſhing this whole Nation by the late dreadful Conflagration of London: We know they were not the greateſt Sinners on whom the Tower of Siloam fell; and doubtleſs all our Sins did contribute to the filling up that Meaſure, which being full, drew down the Wrath of God upon that City: But it very much reviveth us to behold the miraculous Bleſſing of God upon your Majeſty's Endeavours for the Preſervation of that Part of the City which is left: *Et fas eſt reſurgere Troja!* We hope God will direct your Royal Heart, and fortunate Iſland in a few days to lay a Foundation-ſtone in the Re-building that Royal City; the Beauty and Praiſe whereof ſhall fill the whole Earth. For the Encouragement of this noble Work we have prepared ſeveral Bills:

One,

One, for establishing a Judicatory for the speedy determining all Actions and Causes of Action, that have or may arise between Landlords and Tenants upon this said Accident. Though I persuade myself no Englishman would be exempted from making some Offering to carry on this pious Undertaking; yet the exemplary Charity of your twelve reverend Judges is fit with honour to be mention'd before your Majesty: They are willing to spend all their Sand that doth not run out in your Majesty's immediate Service of dispensing Justice in their several Courts to your People, in Hearing and Determining those Controversies that may arise upon old Agreements, and making new Rules between Owners and Tenants, for their mutual Encouragement in this glorious Action. We have likewise prepared a Bill for the regularity of the new Buildings, that they may be raised with more Conveniency, Beauty, and Security, than they had before: Some Streets we have order'd to be open'd and enlarg'd, and many Obstructions to be remov'd; but all with your Majesty's Approbation. This we conceive cannot be done with Justice, unless a Compensation be given to those that shall be Losers; we have therefore laid an Imposition of twelve Pence upon every Chaldron, and twelve Pence upon every Tun of Coals that shall be brought into the Port of London for ten Years, the better to enable the Lord-Mayor and Aldermen to recompense those Persons whose Grounds shall be taken from them.

Anno 19 Car. II. 1667.

'Rome was not built in a day: Nor can we, in the Close of this Session, finish the Rules for the dividing of Parishes, rebuilding of the Churches, and the ornamental Parts of the City that we intended; these things must rest till another Session: But we know your Majesty in the mean time will take them into your Princely Consideration, and make it your Care, That the Houses of God, and your Royal Chamber, be decently and conveniently restored. And now, Great Sir, having thus happily finish'd the Business of this Session, we beg your Majesty's Leave that we may return to our own Houses, there to put in execution the good Laws which you have made, and to defend our several Countries against all Designs to disturb the Peace of the Nation. And we beseech Almighty God, who hath hitherto wonderfully preserv'd your Majesty's Person, and made you glorious in all your Atchievements, still to prosper your Forces both at Sea and Land, till he hath made your Majesty an *Asylum* for all your Friends, and a Terror to your Enemies both at home and abroad.'

Upon passing the Bills mention'd in this Speech, and some few others of less moment, his Majesty made the following Speech;

Anno 29 Car. II. A. D. 1676-7.

The King's Speech to the Houſes at the ſame time.

'My Lords and Gentlemen,

'I Thank you for this other Bill of Supply which you 'have given me, and I aſſure you the Money ſhall be 'laid out for the Ends it is given; I hope we ſhall live 'to have Bills of this nature in the old Stile, with fewer 'Proviſoes. I look'd to have ſomewhat offer'd to me 'concerning the Accounts of the Money that hath been 'already rais'd ſince the War: Which, ſince you have 'not done, I will take care (after ſo much Noiſe) that the 'ſame be not ſtifled, but will iſſue out my Commiſſion in 'the Manner I formerly promis'd the Houſe of Peers; and 'the Commiſſioners ſhall have very much to anſwer, if 'they do not diſcover all Matters of Fraud and Cozenage. 'The Seaſon of the Year is very far ſpent, in which our 'Enemies have got great Advantages over us; but, by the 'Grace of God, I will make all the Preparations I can, 'and as faſt as I can: And yet I muſt tell you, That, if 'any good Overtures be made for an honourable Peace, I 'will not reject them; and I believe all ſober Men will be 'glad to ſee it brought to paſs.

'I ſhall now prorogue you till towards Winter, that you 'may, in your ſeveral Places, attend the Peace and Secu-'rity of your ſeveral Countries, where there are unquiet 'Spirits enough working: And I do pray you, and I do 'expect it from you, That you will uſe your utmoſt En-'deavours to remove all thoſe falſe Imaginations in the 'Hearts of the People (which the Malice of ill Men hath 'induſtriouſly infus'd into them) of I know not what 'Jealouſies and Grievances. For I muſt tell you again, 'and I am ſure I am in the right) That the People had 'never ſo little Cauſe to complain of Oppreſſion and Grie-'vances, as they have had ſince my Return to you. If the 'Taxes and Impoſitions are heavy upon them, you will 'put them in mind, That a War with ſuch powerful Ene-'mies cannot be maintain'd without Taxes: And I am 'ſure the Moneys rais'd thereby come not into my Purſe. 'I ſhall add no more; but I promiſe myſelf all good Effects 'from your Affections and Wiſdoms where-ever you are; 'and I hope we ſhall meet again of one Mind, for my 'Honour, and the Good of the Kingdom. And now, 'my Lord Privy-Seal, do as I have directed you.' Accordingly the Lord Roberts declar'd the King's Pleaſure for proroguing the Parliament to the 10th Day of October; which put an end to the Seventh Seſſion, or rather Meeting, of the Second and Long Parliament, after a Continuance of four Months and about two Weeks.

An intermediate Seſſion.

In obedience to the King's Proclamation, but contrary to uſual Cuſtom, the Parliament met on the 25th of July, making

making a sort of an Intermediate Session, and of a very short Continuance. The Commons immediately enter'd upon the Debate of the new-rais'd Army, which they resolv'd to break as soon as might be, and spoke so clearly and freely in that matter, that the Court resolv'd to give them some little Interruption, either to mollify the warmest Opposers, or to make way for new Measures. For this end a Message was sent from the Chancellor to the Speaker of the Commons, 'to let them know, That his Majesty, conceiving the House might not be full at their first Meeting, he had deferr'd his coming to acquaint them with what he had to say, till Monday the 20th of this Month; and that the House should be adjourn'd till that Day.' But before the Message came to them, they had pass'd a Resolution, 'That his Majesty should be humbly desired, that, as soon as the Peace was concluded, the new-rais'd Forces might be disbanded.' Upon the appointed Day, his Majesty came to the House of Peers with the usual Ceremonies, where he made a short Speech to the two Houses, 'excusing the 'Trouble of extraordinary Attendance, and telling them 'the Occasions of their Meeting were now less urgent; and 'therefore he could again dismiss them to the day formerly 'prefix'd, and should take an Oportunity, in the mean while, 'to do some things, which he hoped would not be unwelcome 'to them:' And accordingly he prorogu'd them to the 10th 'of October.' Anno 1. Gualielmi 1689. A Prorogation.

On the 10th day of October, after a double Prorogation, the Parliament met at Westminster, having in effect had a Recess of about nine Months, but from the last short intermediate Meeting not above ten Weeks. When his Majesty made this short Speech to both Houses. The Eighth Session of the second Parliament.

'My Lords and Gentlemen,

'WHen we last met here, about eleven Weeks ago, I 'thought fit to prorogue the Parliament to this 'very Day, resolving that there should be a Session now, 'and to give myself time to do some things I have since 'done, which I hope will not be unwelcome to you, but 'a Foundation for a greater Confidence between us for the 'future. The other Reasons for that Prorogation, and 'some other Matters with which I would acquaint you, I 'have commanded my Lord-Keeper to declare unto you.' The King's Speech to both Houses.

Hereupon the new Lord-Keeper Bridgeman made the following Speech: 'My Lords, and you Knights, Citizens, and Burgesses of the House of Commons; This Parliament, (after many good and wholesome Laws made with your Advice in several Sessions, many great Supplies and Aids given The Lord-Keeper Bridgeman's Speech.

Anno 19 Car. II. 1667.

given to his Majesty, and for the Maintenance of the War, and many other signal Testimonies of your Affection and Duty to him, for which his Majesty again and again renews unto you his most hearty Thanks) was, as you very well know, prorogu'd from February last, till this tenth of October; his Majesty having then reason to believe, that there could be no Cause of your re-assembling in the mean time. But in this Interval, the Dutch (who since the War began, were strengthen'd by the Union of France and Denmark, having a great Fleet) actually invaded the Land; and the French at the same time had a royal Army in the Field, not far from the Sea-Coast; the Conjunction of which with the others, in some Design against England, or some other of his Majesty's Dominions, we had then cause to suspect. In this streight, his Majesty (who in lesser Difficulties had frequent recourse unto his Parliament, as his great and faithful Council, and therefore hath every Year once, often twice, re-assembled you) thought it necessary to anticipate the Time, and issu'd out Proclamations for your Meeting on the 25th day of July last. This, tho' unusual, was done by the Advice of his Privy-Council; public Necessity and Exigencies allowing, or at least dispensing with many things, which, except in such Cases, were not to be allow'd or dispensed withal. Before the 25th day of July, there was a Prospect and daily Expectation, and within three days following, an Assurance of a Peace concluded with, and ratify'd by our three potent Adversaries. The Storm which threatned us being thus blown over, and succeeded by so great a Serenity, it was rais'd as a Doubt by grave and wise Men, Whether or no, the Necessities and Difficulties which caus'd so early a Summons being remov'd, you could sit or act as a Parliament before the 10th of October; being the fix'd Time to which you were formerly prorogu'd. For this Cause, together with those others mention'd by his Majesty, he in his princely Wisdom held it necessary, in a matter of so great Consequence, again to fix upon this Day for your Meeting in Parliament, about which there can be no Dispute; which being thus twice prefix'd, and you meeting here upon a double Call, his Majesty hopes it is a happy Omen, That this Session of Parliament (which in Law is but this one Day, all Acts of this Session referring to it, unless otherwise specially provided) will be happy and prosperous to his Majesty, to You, and to the whole Kingdom.

'My Lords and Gentlemen, His Majesty supposes, that no Man wou'd expect, that during your Recess he should have refused Overtures of Peace: The Vicinity as well as

as Potency of his united Enemies, the great Expences of the War, carry'd on with much Diſadvantage, by reaſon of the Plague and diſmal Fire in London, the Conſideration of the Poſture of Affairs abroad, beſides many other Motives obvious unto you, induc'd him to embrace the Opportunity of concluding a Peace. But you well know, that tho' the War be at an end, all the Effects thereof are not yet ended. It will require Time and your good Advice, to remove thoſe Obſtructions which hinder the Current of Trade both at home and abroad. And in this Particular, his Majeſty thinks fit to recommend it to your Wiſdom, to ſettle ſuch a Balance of Trade between his Subjects of this Kingdom and thoſe of Scotland, as that we may not be prejudic'd by the Import of their Commodities hither; nor yet they be ſo diſcourag'd, as to leave off trading here, and find out other Vent abroad more dangerous to us. This he finds too hard for him without your Aſſiſtance, tho' upon your recommending it to him, he has uſed ſome Endeavours therein. His Majeſty formerly promiſed, that you ſhould have an Account of the Moneys given towards the War, which his Majeſty has commanded his Officers to make ready: And ſince that way of Commiſſion, wherein he had put the Examination of them, hath been ineffectual, he is willing you ſhou'd follow your own Method, examine them in what way, and as ſtrictly as you pleaſe; he doth aſſure you, He will leave every one concern'd to ſtand or fall, according to his own Innocence or Guilt. His Majeſty has reaſon to believe, that ſome diſaffected Perſons, taking advantage of the publick Neceſſities, have ſpread abroad Diſcourſes and Rumours reflecting upon the Government, intending thereby to beget a Diſaffection in his good Subjects: And it is an eaſy thing to take exceptions, *Cum neque Culpam humana infirmitas, neque Calumniam regnandi Difficultas evitet.* But his Majeſty promiſes himſelf from your good Affections, that every one of you in your ſeveral Places will endeavour to preſerve a good Underſtanding between him and his People: And if any juſt Grievances ſhall have happen'd, his Majeſty will be as willing and ready to redreſs them for the future, as you to have them repreſented unto him. And his Majeſty doubts not but you will give healing and moderate Counſels, and imprint that known Truth into the Hearts of his Subjects, that there is no diſtinct Intereſt between the King and his People; but the Good of one, is the Good of both'.

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Immediately after, the Houſe of Commons took into Conſideration what had been ſaid to them, and reſolv'd upon an Addreſs of Thanks to his Majeſty, in which they deſir'd and obtain'd the Concurrence of the Lords. Accordingly, on the 15th of October, the two Houſes in a Body, with

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with their Speakers, attended the King in the Banqueting-House at Whitehall; where the Lord-Keeper, as Speaker of the House of Peers, in the Name of both Houses, repeated this following Address to his Majesty; 'We your Majesty's loyal and faithful Subjects, the Lords and Commons in Parliament assembled, having taken into our serious Consideration your Majesty's gracious Speech, wherein you were pleas'd to let us know, that your Majesty thought fit to prorogue this Parliament till the 10th of October, that you might give yourself time to do something which wou'd not be unwelcome, but a Foundation for a greater Confidence between your Majesty and your People; we find ourselves bound in Duty to return your Majesty our humble and hearty Thanks for the gracious Declaration of your royal Intentions in that your Majesty's gracious Speech, and in that deliver'd by your Majesty's Command by the Lord Keeper. And particularly, "That your Majesty has been pleas'd to disband the late rais'd Forces; and to dismiss the Papists from out your Guards, and other military Employments: For your Majesty's Care in quickning the Execution of the Act for restraining the Importation of foreign Cattle: For causing the Canary Patent to be surrender'd and vacated: And more especially, that your Majesty hath been pleased to displace the late Lord Chancellor, and remove him from the Exercise of public Trust and Employment in Affairs of State." To which Address his Majesty was pleased to make this Return; 'I thank you for your Thanks; 'I am glad the things I have done have given you so good 'Satisfaction: And for the Earl of Clarendon, I assure you I 'will never employ him again in any publick Affairs whatsoever.'

The Address of both Houses to the King.

His Answer.

October 26. the Commons took into Examination, the Conduct of the Earl of Clarendon, to whose charge * Mr. Edward Seymour then laid many great and heinous Crimes. Upon which there arose a Debate in the House how they should proceed upon it, some moving he should be impeach'd in the Name of the Commons, till Articles should be form'd against him; others urg'd, that Witnesses should be first examined, to see how the Charge might be made good, lest, in case of Failure, it might reflect on the Honour of the House. After a long Debate a Committee was appointed to search Records for Parliamentary Proceedings in the like Cases; from which Sir Thomas Littleton making Report on the 30th, that they had found various Proceedings in several Parliaments, there arose another long Debate, which was maintained with great Warmth, and in which the Earl was

Proceedings against the Earl of Clarendon.

Sir Tho. Littleton.

* *Afterwards Sir Edward, Speaker of the House of Commons, a Commissioner of the Admiralty, and Treasurer of the Navy.*

was loaded with many heavy Crimes and Miſdemeanors. The chief Speakers againſt his Lordſhip were Mr. Seymour, Sir Thomas Littleton, Serjeant Maynard, Sir John Holland, Sir Thomas Osborn, * Sir Robert Howard, Mr. Garraway, Lord Saint John, † Sir Charles Wheeler, Mr. Hampden, Mr. Marvel, Mr. Prynne, Mr. Secretary Morrice, Mr. Waller, and || Sir John Vaughan; which laſt having been formerly intimate with the Chancellor, upon the Reſtoration finding himſelf receiv'd with more coolneſs than he expected, omitted no opportunity of oppoſing him; and in theſe Debates none purſu'd him with greater Animoſity. The chief on the other ſide, who ſtood up in favour of the Earl, were Sir Heneage Finch, Sir Francis Goodrick, ‡ Mr. Coventry, Sir Edward Thurland, Sir John Brampſton, ** Sir John Talbot, Sir John Shaw, †† Sir Thomas Clifford, ||| Sir Stephen Fox, and the Earl's own Son, Mr. Lawrence Hyde: which laſt declared, he was ſenſible the Houſe might think him partial; but that he ſhou'd endeavour to ſhew himſelf not ſo much the Son of the Earl of Clarendon, as a Member of that Houſe: That if he ſhou'd be found guilty, no Man ſhou'd be more againſt him than he; otherwiſe he hoped every one wou'd be for him as much as himſelf: That every one in his own Conſcience was to conſider what of that Charge was true; ſince he was aſſur'd, that if one Article was prov'd againſt the Earl, he and all his Friends wou'd own him guilty of all the reſt.

Anno 19 Car. II. 1667.

His Son vindicates him.

This Debate ended in a Vote, that the Committee ſhou'd reduce the Accuſation to Heads, and preſent them to the Houſe; all which was done on the 6th of November; when Sir Thomas Littleton reported and read the ſame as follows:

* *Auditor of the Exchequer.* † *Captain of Foot and Governor of Nevis.* || *At the End of this Seſſion, made Lord-Chief-Juſtice of the Common Pleas.* ‡ *Afterwards Secretary of State.* ** *Captain of Foot and Dragoons, Commiſſioner of Primes, Exciſe, Fee-Farm-Rents, and Maſter of the Jewel Office in Reverſion.* †† *Firſt Comptroller, then Treaſurer of the Houſhold, and afterwards a Peer, and Lord High Treaſurer.*

||| *Clerk of the Green-Cloth. With Regard to this laſt Gentleman, Arch-Deacon Echard tells the following Story:*

'It is to be remembr'd, that in all the Proceedings of the Commons againſt this unfortunate Man, Sir Stephen Fox, who had a particular Place in the King's Houſhold, as well as in the Commons, always voted in favour of the Earl. For which he was reprimanded by the King himſelf, who ſeeing him one day, ſaid, *How now, Fox, how came you to vote againſt my Inclinations?* Sir *Stephen* bravely anſwered to this Effect, *Sir, I have known this Gentleman many Years, and have liv'd under the ſame Roof with him; and I am ſure he is an honeſt Man, and can never be guilty of the Crimes laid to his charge.* Upon which the King reply'd with a Puff, *Ay, Fox, you will ſay any thing*; and ſo turn'd away without any more Words, or future ſhow of Reſentment.'

Anno 19 Car. II. 1667.

The Articles against him.

I. That the Earl of Clarendon hath design'd a standing Army to be rais'd, and to govern the Kingdom thereby; and advis'd the King to dissolve this present Parliament, and to lay aside all Thoughts of Parliaments for the future, to govern by a Military Power, and to maintain the same by Free-Quarter and Contribution. II. That he hath, in the hearing of the King's Subjects, falsly and seditiously said, That the King was in his Heart a Papist, or Popishly affected; or Words to that effect. III. That he hath receiv'd great Sums of Money for the procuring of the Canary Patent, and other illegal Patents; and granted illegal Injunctions to stop Proceedings at Law against them, and other illegal Patents formerly granted. IV. That he hath advised and procured divers of his Majesty's Subjects to be imprison'd against Law, in remote Islands, Garisons, and other Places, thereby to prevent them from the Benefit of the Law, and to produce Precedents for the imprisoning any other of his Majesty's Subjects in this manner. V. That he procured his Majesty's Customs to be farmed at Under-Rates, knowing the same; and great pretended Debts to be paid by his Majesty, to the Payment of which his Majesty was not strictly bound; and afterwards receiv'd great Sums of Money for procuring the same. VI. That he receiv'd great Sums of Money from the Company of Vintners, or some of them, or their Agents, for inhancing the Prices of Wines, and for freeing them from the Payment of legal Penalties, which they had incurr'd. VII. That he hath in a short time gain'd to himself a greater Estate than can be imagin'd to be gain'd lawfully in so short a time; and, contrary to his Oath, he hath procured several Grants under the Seal, from his Majesty to himself and Relations, of several of his Majesty's Lands, Hereditaments and Leases, to the disprofit of his Majesty. VIII. That he hath introduc'd an arbitrary Government in his Majesty's Foreign Plantations, and hath caus'd such as complain'd thereof before his Majesty and Council, to be imprison'd for so doing. IX. That he did reject and frustrate a Proposal and Undertaking, approv'd by his Majesty, for the Preservation of Nevis, and Saint Christopher's, and reducing the French Plantations to his Majesty's Obedience, after the Commissions were drawn for that purpose; which was the Occasion of our great Losses and Damages in those Parts. X. That he held Correspondence with Cromwell and his Complices, when he was in Parts beyond the Seas, attending his Majesty, and thereby adhered to the King's Enemies. XI. That he advised and effected the Sale of Dunkirk to the French King, being part of his Majesty's Dominions; together with the Ammunition, Artillery, and all sorts of Stores there,

there, and for no greater Value than the ſaid Ammunition, Artillery and Stores were worth. XII. That the ſaid Earl did unduly cauſe his Majeſty's Letters Patent, under the Great Seal of England, to one Dr. Crowther, to be alter'd, and the Enrollment thereof to be unduly raſed. XIII. That he hath in an arbitrary way examin'd and drawn into queſtion divers of his Majeſty's Subjects concerning their Lands, Tenements, Goods, Chattels and Properties, and determin'd thereof at the Council-Table, and ſtopt Proceedings at Lawby order of the Council-Table, and threatned ſome that pleaded the Statute of the 17th Car. I. XIV. That he hath cauſed *Quo Warranto's* to be iſſued out againſt moſt of the Corporations of England, immediately after their Charters were confirm'd by an Act of Parliament, to the intent he might require great Sums of Money for renewing their Charters; which when they comply'd withal, he caus'd the ſaid *Quo Warranto's* to be diſcharg'd, and Proſecution therein to ceaſe. XV. That he procur'd the Bills of Settlement of Ireland, and receiv'd great Sums of Money for the ſame in a moſt corrupt and unlawful manner. XVI. That he hath deluded and betrayed his Majeſty and the Nation in all Foreign Treaties, and Negotiations relating to the late War, and betray'd and diſcover'd his Majeſty's ſecret Councils to his Enemies. XVII. That he was the principal Author of that Fatal Council of dividing the Fleet about June 1666.' Anno 19 Car. II. 1667.

After reading theſe Heads of Accuſation, it was moved, That in regard the Articles were many, they might be referr'd to a Committee to ſee how far they were true, becauſe Fame was too ſlender a Ground to bring a Man upon the Stage. But this was carry'd in the Negative; and ſo they proceeded to the reading the Articles ſingly and ſeparately, and to ſpeak to the Truth or Probability of them. The firſt Article being read, to ſee what could induce the Houſe to impeach, Sir Robert Howard and Sir John Vaughan ſaid, they heard from Perſons of Quality, that it wou'd be prov'd. As to the ſecond Article, the Lord Saint John ſaid, Perſons of great Quality had aſſur'd him to make it good; and if they did not, he wou'd acquaint the Houſe who they were. Mr. Seymour, as to the third Article, alledg'd that ſufficient Perſons would make it good, with this additional Saying, So long as the King is King, and I Lord Chancellor, the Patents will ſtand. The fourth and fifth Articles, * Sir Richard Temple ſaid, divers had undertaken to make good; if they did not, he wou'd name them: and for the receiving Money of the Vintners, † Sir Robert Car ſaid, That he knew who would prove it. Their Examination of the Particulars.

* *Commiſſioner of the Cuſtoms.* † *Chancellor of the Dutchy.*

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About his getting a great Eſtate ſo ſuddenly, Mr. Seymour ſaid, They need not prove that the Sun ſhone at Noon-day. And Sir Thomas Littleton added, That his Place as Chancellor could not be worth above four or five thouſand Pounds a Year. Then, about introducing an arbitrary Government in the Plantations, Sir Thomas Littleton and Sir Thomas Osborn alledg'd, That one Farmer and others came from Barbadoes to complain of it, and lodg'd their Petition in that Houſe, but were impriſon'd, that they might not be heard: And, for fruſtrating Propoſals for preſerving Nevis, &c. Sir Charles Wheeler ſaid, My Lord-Chancellor only oppos'd it. As to the Sale of Dunkirk, Sir Thomas Osborn ſaid, a great Lord told him, that he had made a Bargain for Dunkirk three Quarters of a Year before it was known. Then, for the Article of ſealing Dr. Crowther's Patent, Mr. Sheeter ſaid, the King gave a Living to Crowther; that in the Grant there was a Miſtake of a County; Crowther finding the Miſtake, petition'd the King to mend it: that the King call'd for the Chancellor and Seal, and in the King's Preſence it was amended and ſeal'd. Mr. Thompſon ſaid, he ſhould be able to make good the Article of drawing Mens Lands into queſtion: And for *Quo Warranto's* to Corporations, Sir Thomas Littleton ſaid, It was ſo public a thing that it need not be prov'd. Sir Robert Howard doubted not but the Buſineſs about the Settlement of Ireland would be made out; and, for foreign Treaties it would, according to Sir Thomas Littleton, appear by the Treaties themſelves, putting them in hopes of Peace, and ſo hindering the Fleet's ſetting out. Laſtly, Mr. Thompſon ſaid, he did not want Perſons to make good the Article about the Miſcarriage of the War.

The tenth Article, concerning the Earl's Correſpondence with Cromwell, upon a Debate, was found to be within the general Act of Indemnity, and therefore was drop'd and expung'd. And at laſt the Queſtion being put, Whether the Houſe had ſufficient Inducement to impeach, it was carry'd in the Affirmative. So on the 9th of November the firſt Article being read, a long and learn'd Debate aroſe, whether to accuſe him of Treaſon upon it; but it was carry'd by a great Majority in the Negative. The ſecond Article was debated, but not voted: The Third and Fourth were ſoon carry'd againſt the Earl: The Fifth had the ſame Fate with the Second: The Sixth, Seventh, Eighth and Ninth, were read and voted. But the Tenth, that of Dunkirk, admitted of a ſtrenuous Debate, and at laſt was paſſed by, without determining whether it was Treaſon or not. The Eleventh, Twelfth, Thirteenth and Fourteenth, were carry'd without oppoſition. As to the Fifteenth, which was

now the laſt but one, after a Debate it was carry'd to Impeach of Treaſon. Accordingly they reſolv'd that Impeachment of Treaſon, and other Crimes and Miſdemeanors, ſhould be carry'd up to the Lords againſt him by Mr. Edward Seymour: who, on November the 14th, went up to the Houſe of Lords; and the Lord Keeper Bridgeman being come to the Bar to meet him, he delivered himſelf to this purpoſe: 'My Lords, the Commons aſſembled in Parliament, having been informed of ſeveral traitorous Practices, and other Crimes and Miſdemeanors committed by Edward Earl of Clarendon, a Member of this honourable Houſe, have commanded me to impeach him; And I do accordingly impeach him of High-Treaſon, and other Crimes and Miſdemeanors, in the Name of the ſaid Commons, and of all the Commons of England. And they have further commanded me to deſire your Lordſhips to ſequeſter him from Parliament, and to commit him to ſafe Cuſtody, and in convenient Time they will exhibit Articles againſt him.'

'Anno 21 Car. II. 1662.'

They impeach him of High-Treaſon, &c.

But, the Lords being not ſatisfy'd with a general Way of impeaching the Earl, on the 18th of November ſent down to deſire a Conference in the Painted-Chamber. At which, without any Debate, the Earl of Oxford deliver'd a Paper to this effect: 'That the Lords had not committed the Earl of Clarendon, becauſe the Accuſation was only of Treaſon in general, without charging him with any thing in particular.' Upon this there aroſe a warm Debate in the Houſe of Commons, in which Mr. Garraway ſaid, I had rather the Houſe ſhould loſe the Puniſhment of this Man, tho' a great Offender, than that this Houſe ſhould loſe its Privilege: For if this Houſe may at no time impeach a Lord without giving in particular Articles, it may fall out at a time (as in the Duke of Buckingham's Caſe) where a great Man by his Intereſt with the King procures the Diſſolution of the Parliament, and then the Accuſation falls.' The Debate ended in a Reſolution to appoint a Committee to draw up Reaſons to juſtify what they had done; and which were delivered in three days after: of which this ſeems to be the principal; 'If before ſecuring the Perſons, the ſpecial Matter of the Treaſon ſhould be alledg'd, it would be a ready Courſe that Complices in the Treaſon might make their eſcape, or quicken the execution of the Treaſon intended, to ſecure themſelves the better thereby.' The Reaſons, with divers Precedents to inforce them, were on the 28th communicated at a free Conference: In which the Lords chiefly inſiſted upon the Petition of Right, where it was provided that none ſhould be committed without

The Lords diſagree with the Commons.

Who reſent it.

ſpecial

Anno 19 Car. II. 1667.

special Cause, whereby the Party might answer according to Law. From whence they inferr'd 'That the Commons Proceedings were contrary to Law, because a general Charge was against the Petition of Right.'

On the 2d of December the Lords confirm'd their Proceedings, and sent down a Message to the Commons by two Judges, to this effect: 'That upon the Report made to them of the last free Conference, they were not satisfy'd to commit or sequester from Parliament the Earl of Clarendon, without the particular Treason were mention'd or assign'd.' This threw the House of Commons into a great Ferment, and occasion'd several warm Speeches, particularly from Mr. Waller and Sir John Vaughan. The former stood up and said, The Lords are a noble Estate, but whatever the matter is, they have of late some Advice given them, which makes them proceed as they never did yet; for scarce any thing happens, but they encroach upon us. The Militia is now as burdensome to the fifty Pound Man in the Country, almost as all other Taxes, and the Lords have gotten this Advantage on us, that they touch not the Burden of it with their Finger: So in the Time of the Plague, the Commons must be shut up, but not They; insomuch that a good Act provided to that purpose past not. We impeach'd the Lord Mordant, and could not bring him to the Bar, tho' formerly I have known an Earl and a Lord brought thither; you desired a free Conference about it, but could not obtain one to this day. Rome was at first modest, and only meddled with Spirituals, but afterwards concern'd themselves so much with other Matters, that every Thing was made to be *in Ordine ad Spiritualia*, and many Kingdoms thereupon broke from them. The Lords now insist upon one thing, because they say it is in order to their Judicature; perhaps hereafter they will tell us we must come to them on our Knees, because it is in order to their Judgment. Consider therefore whether there be any hope of giving them Satisfaction. Sir John Vaughan was long about Precedents and Law, upon the latter of which the Lords had insisted; and he said, That in the free Conference there was much Discourse about the Great Charter, and of the Statute of the 28 of Edw. III. but not apply'd: So that I thought Law in a Lord's Mouth was like a Sword in a Lady's Hand; the Sword might be there, but when it comes to cut, it would be aukward and useless.—The Conclusion must be, that no Impeachment by the Commons must go on, unless it be by Presentment; and so there is an end of all that for which the Parliament is principally call'd; unless we are Part of those five hundred con-

Mr. Waller.

Sir J. Vaughan.

contemptible ones, who are only fit to give Money: That may be reserv'd for us, but nothing else.

Mr. Colombine.

On the other side, Mr. Colombine stood up, and thus modestly argu'd in favour of the Lords: 'The Lords say, That Committing upon a general Impeachment was against Law, and he thought would appear so: He deny'd not, but a Mittimus without special Cause might be legal, and grounded upon the Petition of Right; the Reason of which was to secure Men against Commitment by a special Warrant, and a Judge ought not to discharge where Treason was alledg'd: But in this Case it was different, the Judges could not discharge a Man committed after Examination, but the Lords ought not to commit a Man, except there were particular Treason. That if he came before a Justice of Peace, and said I accuse this Man of Treason, would any wise Man commit him? He made his Warrant indeed, but he that accus'd must go farther, and make it more particular, and the special Matter must appear before he commits; and this was the present Case. The common Law was, That no Man ought to be committed without particular Cause; because no Man could commit in capital Matters, without taking Examination before-hand, otherwise no Man could justify a Commitment; Therefore he was not satisfy'd, that the Lords had not Reason to deny it. That the Commons were in the nature of a Grand Jury to present, but the Lords were the Judges: That Commitment was not the Judgment, but in order to it; and the Lords had a discretionary Power in the Case: They said not that they would not commit, but that they were not satisfy'd to do it without special Matter, therefore the Commons ought to send it up. After all the Debate, the House came to this positive Resolution, 'That the Lords, not having comply'd with the Desire of the Commons in committing the Earl of Clarendon, and sequestring him from Parliament upon the Impeachment from that House, was an Obstruction to the public Justice of the Kingdom, and a Precedent of evil and dangerous Consequence: And upon this they appointed a Committee to draw up a Declaration to vindicate their Proceedings.

The Earl of Clarendon withdraws, and leaves a remarkable Apology.

About this Time the Earl of Clarendon thought proper to withdraw, and having left an * Apology for his Conduct, addressed to the Lords, that House, upon receiving this Address, on the 3d of December sent a Message to the Commons by two Judges, signifying 'That they had receiv'd a large Petition from the Earl of Clarendon, which intimated that he was withdrawn;' and soon after desired a present Conference with them. At which Conferenc:,

* *His Apology is to be found in Echard.*

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ference, the Duke of Buckingham, who was plainly aim'd at in the Petition, deliver'd it to the Commons, and with his usual way of Inſult and Ridicule ſaid, 'The Lords have commanded me to deliver to you this ſcandalous and ſeditious Paper ſent from the Earl of Clarendon: They bid me to preſent it to you, and deſire you in convenient time to ſend it to them again; for it has a Style which they are in love with, and therefore deſire to keep it.'

When the Earl's Addreſs and Apology was read by the Commons, it occaſion'd a new Turn, and a new Warmth in the Debates of that Houſe. Sir John Vaughan began with great Fury, and among other things ſaid, 'It is the firſt time that ever I heard an innocent Man run away under the greateſt Charge, with Hopes to return again and vindicate himſelf. Mark one Expreſſion; he ſays, he is as far from Corruption, as he is from Diſloyalty: If he had ſaid he was guilty of neither, he had ſaid ſomething, but by that Expreſſion he may be guilty of both. So inſolent a Paper I never met with in this Kingdom, nor have I ever heard the like in any other. So inconſiderable a Part of the Nation as he is, to lay it upon the Nation, who, if innocent, might defend himſelf; if guilty, why does he charge the Nation with perſecuting? Therefore, without troubling ourſelves with it, do as the Lords have done, who, deliver'd it to us as a ſcandalous and ſeditious Paper; it has Malice in it, and is the greateſt Reproach upon the King and the whole Nation, that ever was given by Man.' Therefore in concluſion he put the Queſtion, Whether the Paper ſhould be voted ſcandalous and malicious, and a Reproach to the Juſtice of the Nation? Which was carry'd in the Affirmative. Sir Robert Howard mov'd that it ſhould be burnt by the Common-Hangman; but that was oppos'd, becauſe the Lords deſir'd the Paper to be return'd; yet ſtill at laſt that was carry'd alſo in the Affirmative.

Sir John Vaughan.

The Lords ſend down a Bill to baniſh the Earl.

On the 13th of December, a Bill was ſent down from the Lords for the Baniſhment of the Earl of Clarendon. Upon the reading of which, ſeveral Objections were made; and it being alledg'd, That it was an Abuſe put upon the Commons by the Lords, and that a Bill of Attainder being propos'd, after ſome Debate the Houſe paſs'd this Vote; 'Reſolved, That, this Houſe taking notice of the Flight of the Earl of Clarendon, being under an Impeachment of High-Treaſon by this Houſe, the King's Majeſty be humbly deſired to iſſue out his Proclamation for ſummoning the ſaid Earl to appear by a Day, and to apprehend him in order to his Tryal: And that the Lords be ſent to for their Concurrence in this Vote.' But the Lords, would

not

not concur'd; and on the following Day deliver'd their Reasons, and particularly declared, 'That their Lordships upon Consideration of the whole State of Affairs, and of the Kingdom, have, upon Grounds of Prudence and Justice, thought fit, for Security of King and Kingdom, to proceed in a Legislative way against the said Earl; and have to that end pass'd and sent down a Bill of Banishment and Incapacity against him; with which their Vote was inconsistent.' This brought on a Debate concerning the Bill of Banishment, which some thought too little for the Crimes alledg'd, and others too great for the Cause in hand. Mr. Swinford spoke his mind freely, and among other things said, 'The Lords will neither secure nor summon him, but will condemn him unheard; and this they put you upon, which is against Honour and Justice, especially to do it upon Reason of State. The Power of Parliaments is indeed great; it hath no Bounds but the Integrity and Justice of Parliaments. If Reason of State be a Motive of Parliament to banish one Man, so it may be for many. If you go in this Legislative way, you bring upon your selves all the Dishonour of the Business; but the Lords will have some Excuse, which you cannot; for they look'd upon the Charge so slight, as not to imprison him. The Party is gone, apprehending, he says, the Fear of the Multitude, not of his Tryal; so the Lords not giving Credit to your Charge against him, he says, He flies not from Justice. Now, if upon this Bill you should banish him, it would be said, you could not make good your Charge, and therefore laid this Sentence upon him. The Precedent is also dangerous, if, having gone so far in a Judicial way, you should now go in a Legislative. If, upon Reason of State, Lords might be banish'd, it may be by Dozens: As you proceed justly, so you will be justified. After several Speeches on the 18th of December the Bill was read a third time in a thin House, and the Question being put for passing it, sixty-five were for it, and forty-two against it.

Mr. Swinford.

The Bill pass'd.

On the 19th, the King by Commission pass'd that, and four other Bills, *viz.* 1. An Act for taking the Accounts of the several Sums of Money therein mentioned. 2. An Act for assigning Orders in the Exchequer without Revocation. 3. An Act to make Prize-Ships free for Trade. And, 4. An Act for settling Freedom and Intercourse of Trade between England and Scotland. Immediately after, Mr. Secretary Morrice delivered this Message from the King to the House of Commons; 'His Majesty having by a former Message acquainted you, That he intended an Adjournment to the Beginning of February; he doth now conceive, That Thursday the 6th of February is a convenient Day to

Acts passed, and the Parliament adjourn'd for seven Weeks.

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'which such an Adjournment may be made: And his Majesty is willing to adjourn to that time.' Accordingly the Parliament broke up, after it had sate a little above two Months, and without any Prorogation had now a Recess of above seven Weeks.

February 10. Both Houses met again at Westminster, when his Majesty made the following Speech from the Throne:

The King's Speech to both Houses.

'My Lords and Gentlemen,

'I Am glad to see you here again, to tell you what I have 'done in this Interval, which I am confident you will 'be pleas'd with, since it is so much for the Honour and 'Security of this Nation. I have made a League defensive 'with the States-General of the United Provinces, and likewise a League for an efficacious Mediation of Peace between the two Crowns of France and Spain; into which 'League, that of Sweden, by its Ambassador, hath offer'd to 'enter as a Principal.

'I did not at our last Meeting move you for any Aid, tho' 'I lie under great Debts contracted in the last War; but now 'the Posture of our Neighbours abroad, and the Consequence 'of the new Alliance, will oblige me, for our Security, to 'set out a considerable Fleet to Sea this Summer; and because I must build more great Ships, and it is as necessary, 'that I do something in order to the fortifying some of our 'Ports: I have begun something my self in order to these 'Ends; but if I have not your speedy Assistance, I shall 'not be able to go through with it. Wherefore I do earnestly desire you to take it into your speedy Consideration; 'for the loss of a little time now may beget a Prejudice not 'to be repaired. And for the settling a firm Peace, as well 'at home as abroad, one thing more I hold my self oblig'd 'to recommend to you, at this present; which is, That you 'would seriously think of some course to beget a better 'Union and Composure in the Minds of my Protestant Subjects in Matters of Religion; whereby they may be induced not only to submit quietly to the Government, but 'also chearfully give their Assistance for the Support of it.'

The Commons deferred the Consideration of this Speech till after the Committee, appointed to enquire into the Miscarriages of the late War, had given in their Reports. In order to which the Duke of Albemarle, Prince Rupert, and even the Duke himself, laid each his own Account before them. That of the Duke of Albemarle being as follows:

Duke of Albemarle's State of the Affair at Chatham.

'I went early on Tuesday the 11th of June to Chatham, where I found scarce Twelve of eight hundred Men, which were

were then in the King's Pay, in his Majesty's Yards; and those so distracted with Fear, that I could have little or no Service from them. I had heard of thirty Boats, which were provided by his Royal Highness; but they were all, except five or six, taken away by those of the Yards, who went themselves with them, and sent and took them away by the Example of Commissioner Pett, who had the chief Command there, and sent away his own Goods in some of them. I found no Ammunition there, but what was in the Monmouth; so that I presently sent to Gravesend for the Train to be sent to me, which got thither about two of the clock next Day. After I had dispatch'd this Order, I went to visit the Chain, which was the next thing to be fortify'd for the Security of the River; where I found no Works for the Defence of it. I then immediately set Soldiers to work for the raising of two Batteries, for there were no other Men to be got; and when I employ'd them in it, I found it very difficult to get Tools; for Commissioner Pett would not furnish us with above thirty, till by breaking open the Stores we found more. I then directed Timber and thick Planks to be sent to the Batteries and Guns also, that they might be ready to be planted as soon as the Batteries were made; and in the next place I sent Captain Wintour with his Company to Upnore-Castle, which I took to be a Place very fit to hinder the Enemy from coming forwards, if they should force the Chain: And upon further consideration, tho' I had Horse near the Fort, lest the Enemy should land there, I commanded Sir Edward Scot, with his Company, for a further Strength of the Place; and gave him the charge of it, with Orders to let me know what he wanted for the Security thereof.

'Having thus provided for Upnore, I consider'd where to sink Ships without the Chain, next to the Enemy, as a further Security to it. I found five Fire-ships, and the Unity upon the Place; and advising with Commissioner Pett, and the Master of Attendance, and the Pilot, how to do it; Pett told me, It was their opinion, that if three Ships were sunk at the narrow Passage by the Muscle-Bank, the Dutch Fleet could not be able to come up: And I, relying upon their Experience who best knew the River, gave orders accordingly for the doing of it. But when this was done, they said they wanted two Ships more, which I directed them to take and sink. After this, I order'd Sir Edward Spragg to take a Boat and sound whether the sinking of those would sufficiently secure the Passage; which he did, and found another Passage (which the Pilot and Master of Attendance had not before observ'd) that was deep enough for great Ships to come in: I thereupon resolv'd to sink some Ships within the Chain, and provide some against there

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ſhould be occaſion. I went then to look after the other Ships and Batteries, and to ſee the Men and all things ready; but I found the Guns, which I had before order'd to be [illegible] not yet come down; and inſtead of thick, oaken Planks, (of which there was good ſtore in the Yards, as it afterwards appear'd) the Commiſſioner would only ſend Planks of Deal, ſaying, he had no other; which prov'd very prejudicial to the Uſe of them; For they were ſo weak, that at every fhot the Wheels ſunk through the Boards, which put us to a continual trouble to get them out.

About Noon, before the Batteries were quite rais'd, the Enemy came on to the Place where our firſt Ships were ſunk; I went on board the Monmouth with fifty Volunteers, and appointed Soldiers in other Ships to make the beſt defence we could, if they had proceeded; but they were ſo incumber'd before they could clear the way through the ſunk Ships, and find another Paſſage, that the Tide was ſpent, and therefore they made no further advance that day, whereby we had time to conſider what to do againſt the next Attempt. There were two Ships order'd to lie within the Chain, to be ready to ſink, if occaſion ſhould be: And wanting one Ship more to ſink in the middle between theſe two Ships, I that Night order'd the *Santa Maria*, a great Dutch Prize, to be ſunk in the deepeſt Place between the two foreſaid Ships; and I judg'd it ſo neceſſary to be done, that I charg'd Commiſſioner Pett, and the Maſter of Attendance, on peril of their Lives, to do it by Morning; they having time enough before the Tide ſerv'd to provide things to carry her down. Commiſſioner Pett, who had received Orders from his Royal Highneſs on the 26th of March to remove the Royal Charles above the Dock, had, for about nine or ten Weeks, neglected thoſe Orders: And, when I was getting all the Boats I could (for I wanted many) for carrying Materials for the Batteries, and Ammunition and Soldiers for the Defence of all our Places, he came and told me, He would carry her up that Tide, if he might have Boats, which I could not then ſpare: For if they were ſo, all our Batteries muſt have been neglected, and I could not tranſport the Timber, Powder and Shot, and Men to them, to reſiſt the Enemy the next day. And beſide, I was adviſed at that inſtant, if the Dutch ſhould have landed in the Marſh by the Crane, ſhe might have been uſeful and have hinder'd them, having Guns on board. Nevertheleſs, having notice ſhortly after, that there was neither Sponge, Ladle, Powder nor Shot in her, I ſent Captain Millet, Commander of the Matthias, about ten in the Morning, with Orders to Commiſſioner Pett to carry her up as he could the next Tide; who pretended he could not then [illegible]

it, becauſe there was but one Pilot that would undertake it, [illegible] and he was employ'd about ſinking of Ships. And tho' the was not ready in the Morning, I myſelf [illegible] Commiſſioner Pett in the Evening, in the Preſence of Colonel Mac-Noughten and Captain Wyborne, to take her down the Tide; but notwithſtanding their Orders, the Ship was not remov'd, but lay there till the Enemy took her. On the ſame Morning, by break of Day, I went to ſee what was done about the Sancta Maria, and found Men working to get along to the place intended, and they had Time enough to do their Buſineſs. But ſoon after I had diſpatch'd my Orders to the Ships, I look'd and ſaw the Sancta Maria, by the Careleſſneſs of the Pilots and Maſters of Attendance, was run on ground, at which I was much troubled. For if that Ship had been ſunk in the Place where I appointed, the Dutch Ships cou'd not have got beyond thoſe or elſe ſunk within the Chain, and thereby none of the King's Ships within could have been deſtroyed, in regard that our Guard-Ships within our Batteries wou'd have hinder'd them from removing our ſunk Ships.

About ten a clock on Wedneſday, the Enemy came on with Part of their Fleet, and two Men of War, five or ſix Fireſhips, and ſome other Men of War ſeconding them. They firſt attempted the Unity, which was plac'd on the Right-Hand cloſe without the Chain to defend it; and they took Her; and one of their Fireſhips ſtruck upon the Chain, but it ſtop'd it. Then came another great Fireſhip, and with the Weight of the two the Chain gave way, and then the Ships came on in that very Paſſage where the Sancta Maria ſhou'd have been ſunk. They burnt the two Guard-Ships, and took off the Royal Charles, wherein the Gunners and Boat-Swain did not do their Duty in firing her, tho they ſay they attempted it twice, but the Fire did not take. This was all that I obſerv'd of the Enemies Action on Wedneſday. Our next care was to provide againſt the Tide which ſerv'd the next Day: I enquir'd what had been done by Sir Edward Scott at Upnore, and ſent him as many of thoſe Things he needed as I cou'd get Boats to carry them to him, and ſent likewiſe a Company more than was formerly order'd, to reinforce the Place in caſe of Landing, and then directed three Batteries to be made in the King's Yard; but cou'd not get a Carpenter, but two that were running away. I alſo planted that Night about fifty Cannon in ſeveral Places, beſides thoſe that came with the Train of Artillery, which were alſo planted; I ſtaid all Night in the Place with the Men, and having no Money to pay them, all I could do or ſay was little enough for their Encouragement, for I had no Aſſiſtance from Commiſſioner Pett, nor no Gunners or

Men

Anno 19 Car. II. 1667.

Men to draw on the Guns, except the two Masters of Attendance.

'On Thursday Morning betimes, Upnore was in a pretty good Condition, and our Batteries ready: I got some Captains of Ships and other Officers, Sea-Volunteers, and others that came to me, to ply the Guns; and other Land-Volunteers did assist them to draw them on the Batteries. About Noon the Enemy came on again with two Men of War, and two Fireships, and some more Men of War following them. The first two anchored before Upnore, and play'd upon it whilst the Fireships pass'd by to the Great James, the Royal Oak, and the Loyal London. The two first Fireships burnt without any Effect; but the rest went up and burnt the three Ships mention'd: And if we had had but five or six Boats to cut off the Boats of the Fireships, we had prevented the burning of those Ships; but those being burnt, as soon as the Tide turn'd, they went back, and made no further Attempt. I had, in the Morning before this Action, receiv'd his Majesty's Command to return to London; but I thought it most for his Service to stay till the Attempt was over: And then, having left upon the Place the Earl of Carlisle, and the Earl of Middleton to command there till further Order, I came away about eight in the Evening, and by two in the Morning arriv'd at London.'

Some Miscarriages voted.

From this and other Examinations, the Commons discover'd and voted several Miscarriages in the late War, and particularly in the Expedition at Berghen; in the plundering the East-India Ships while the Dutch pass'd by; in the not setting out a sufficient Fleet last Year; in the separation of those that were out, so that they became useless; in the want of Provision and Ammunition in the Fleet, and in the Forts; in Payment of the Sea-Men by Tickets; in the want of Intelligence, and dividing the Fleets in the second Year of the War; in the Business of Chatham, &c. And they particularly resolved, 'That, notwithstanding his Majesty had eighteen thousand Men in Pay, in dispersed Ships in the Year 1667, there was not a sufficient Number of Ships left to secure the Rivers Medway and Thames.' They strictly examin'd into one Miscarriage as to the first Battle against the Dutch, in which it appear'd, 'That if the Orders of the Duke of York had been strictly observ'd, as they ought, in that Engagement, the whole Fleet of the Enemy had probably been destroy'd.' For this, Mr. Brunkard, a Member of the House, was accus'd of giving false Orders to Sir John Harman to slacken Sail, while the Duke was reposing himself, and when they were pursuing the Enemy with the utmost Advantage; for which Mr. Brunkard was both expell'd the House, and order'd to be impeach'd.

The

The Miſcarriage at Chatham was ſo conſpicuous, that they thought they cou'd do no leſs than Impeach Commiſſioner Pett for ſo great a Delinquency in that Affair; Accordingly they drew up Articles againſt him to this effect: I. That the ſaid Peter Pett, being a Commiſſioner eſpecially authoriz'd and entruſted with the Care of his Majeſty's Yards, Stores and Proviſions of the Royal Navy at Chatham, and having received Orders from the Duke of York about the 26th of March laſt, requiring him to bring up and moore his Majeſty's Ship, the Royal Charles, and other Ships, did wilfully neglect and refuſe ſo to do; whereby the ſaid Ships were loſt, and became a Prey to the Enemy. II. That his Majeſty having upon the 11th of June laſt appointed the Duke of Albemarle to repair to Chatham, to ſecure all things againſt the Invaſion of the Dutch; he the ſaid Duke found the Royal Charles not brought up, but lying below in a Place of Danger; and having given Orders to the ſaid Pett to cauſe the ſaid Ship to be brought up as high as cou'd be into a place of Safety, the ſaid Pett neglected the doing thereof. III. That Captain Brooks, one of his Majeſty's Attendants at Chatham, knowing that the Duke had given expreſs Orders to cauſe the Royal Charles to be brought up, did prepare Anchors and other Tackling ready for the ſame; and deſir'd the ſaid Pett to give Orders for his ſo doing, which he refus'd to do. IV. That the Duke of York having given Orders to the ſaid Pett to provide thirty Boats for the Defence of the River and Navy, he did not only himſelf miſemploy ſome of the ſaid Boats for the removing ſome of his particular Goods, but ſuffer'd the reſt to be likewiſe miſemploy'd, and did alſo ſeize a boat belonging to Sir Edward Spragg; ſo, for want of theſe Boats, many of his Majeſty's Ships were loſt, and the Security of the reſt hinder'd. V. That the Commiſſioners of his Majeſty's Navy, having ſignify'd to him on the 4th of June, that the Dutch were out, and given him ſpecial Charge to command all Captains on Land to their Ships, and to be vigilant in the reſt of the Charge committed to him; he was ſo negligent, that of eight hundred Perſons, which were under his Care and Command, when the Duke of Albemarle repaired thither, there were not above ten ready upon the Invaſion of the Enemy. VI. That the ſaid Duke, having appointed Soldiers to raiſe Batteries for the Defence of the Navy, He, to obſtruct the Service, refuſed to give them the Number of Tools required, notwithſtanding he had a ſufficient Quantity in his Majeſty's Stores, as it appear'd when thoſe Stores were broke open. VII. That the ſaid Duke having ſent Orders to him to ſend out of his Majeſty's Yards ſome Oaken Planks for his Platforms and Batteries, he ſent only Deal Boards, which were prejudicial

Articles againſt Pett impeach'd.

Anne 1678. prejudicial to the Service, notwithſtanding that there were in his Majeſty's Yards ſeveral Oaken Planks fit for that Service.' For all which Crimes and Miſdemeanors they demanded Juſtice and condign Puniſhment, &c. at the Bar of the Lords.

And likewiſe Sir William Penn.

Not ſatisfied with this Impeachment, by means of ſome Diſcoveries and Informations, the Commons found and ſingled out Sir William Penn, another of his Majeſty's Commiſſioners, and drew up Articles againſt him to this Purpoſe: 'I. Whereas in September 1665, the Golden Phœnix, and the Slothany, two Dutch Ships, were taken at Sea as Prize, by his Majeſty's Fleet under the Earl of Sandwich, in which the ſaid Sir William Penn was then Vice-Admiral; he the ſaid Sir William, contrary to his Duty, &c. did conſpire with ſeveral Perſons to open the Holds of the ſaid Ships, before Judgment paſs'd in the Admiralty Court, and from thence imbezzled great Quantities of rich Goods, whereby his Majeſty was defrauded of above an hundred and fifteen thouſand Pounds. II. The ſaid Sir William, in purſuance of the Conſpiracy, did about the ſame time repair on board the Prize-Ship the Slothany, with Sir William Berkley, Vice-Admiral under his Command, and did there give Orders to Captain Waerden, to whoſe Charge the ſaid Ship was committed, to follow the Directions of Sir William Berkley; who thereupon broke open the Hold of the ſaid Ship, and took out ſeveral rich Goods of great Value, after it was clos'd and ſeal'd up, and by the Aſſiſtance of Sir William Penn, who ſent ſeveral Men on board for that purpoſe. III. He the ſaid Sir William got a conſiderable Part of the Goods into his poſſeſſion, and ſhortly after did ſell divers Parcels of the ſaid Goods, and further warranted the Sale thereof. IV. The better to colour the ſaid Fraud and Imbezzlement, Orders were obtain'd from the Earl of Sandwich for diſtributing ſome part of the ſaid Goods among ſeveral Officers, whereof Sir William was Chief, to be ſubmitted, as was pretended, to his Majeſty's further Pleaſure, tho' Sir William well knew the Orders of the Earl of Sandwich were void in every reſpect; And afterwards a Warrant for diſtributing the Goods was duly procured from his Majeſty; whereas the ſaid Sir William had, before that, poſſeſs'd himſelf of divers of the Goods; and, over and above, did diſpoſe of a further quantity of Goods than was contain'd in the Orders of the Earl of Sandwich, or his Majeſty's Warrant, to the Value of above two thouſand Pounds.' For all which Crimes and Miſdemeanors the Commons likewiſe demanded Judgment, &c. of the Lords.

Mean

Mean while, the King, believing these Proceedings and Impeachments retarded the Supplies he had demanded, sent no less than three Messages, to bring back the Stream of Business to his own favourite Channel; the first of which, was in these Words: 'His Majesty hath been unwilling 'hitherto to interrupt you in your Proceedings; but, con-'sidering the Posture in which his Neighbours now are, 'and that the Spring is already so far advanc'd, and that his 'Allies (as they have great Cause) press his Majesty to hasten 'his Preparations, he holds it absolutely necessary, in respect of 'the Safety as well as the Honour of the Nation, that a Fleet 'be set forth with all speed, and that Course be taken for 'fortifying his Ports, and building more Ships: And there-'fore he doth again earnestly recommend it to you, forth-'with to provide for such a Supply as these Occasions shall 'require: And because you have not yet had Satisfaction 'upon the Bill of Accounts of the former Supply, his Ma-'jesty is very willing that this be collected and issu'd for 'those Purposes, by such Persons only as you shall think fit.' The second and the third Message were only to enforce this; only in the last he let them know that he design'd to put a period to this Session on the 4th of May. But finding this Design not so well reliss'd, he sent a fourth Message to them on the 24th of April, in these Words: 'His Ma-'jesty by his former Message thought fit to acquaint you, 'That he intended the present Session of Parliament should 'determine on the 4th of May; but, finding the Proceed-'ings in many important Businesses, now under agitation, 'would be lost, if there should be a Session; and that many 'things not yet foreseen may happen to induce him to call 'you together again before Winter, hath now thought fit 'to acquaint you, That he intends only an Adjournment 'for three Months; and desires you therefore to perfect 'the Bills for Supplies, and such others as may be made 'ready by the said 4th of May, so that he may then give 'his royal Assent to them before the Adjournment.' The House notwithstanding proceeded with the Business that lay before them; and especially the Informations they receiv'd from some Counties, particularly Staffordshire, of the in-solent Carriage and Abuses committed by Persons in several Places, in interrupting and disturbing of Ministers in their Churches, and holding Meetings contrary to Law. In con-sequence of which, after a solemn Debate and Resolution, they made and presented an humble Petition to his Majesty, 'That he would issue out his Proclamation for enforcing 'the Laws against Conventicles; and that Care might be 'taken for the Preservation of the Peace against all unlawful 'Assemblies of Papists and Nonconformists.' The King

Ann. 30 Car. II. 1678.

The King's Messages to the Commons, to hasten the Supply.

Another Mes-sage.

They petition the King for a Proclamation against Con-venticles.

Anno 20 Car. II. 1668.

thought himſelf oblig'd to comply with his Commons, and accordingly gave this Anſwer; 'I will iſſue forth my Proclamation according to your deſire; adding withal, And 'I do not doubt but you will take the ſecond Part of my 'Speech into Conſideration, according to the Vote.'

A Difference between the two Houſes.

About this time, a Difference happen'd between the Lords and Commons, occaſion'd by Mr. Skinner a conſiderable Merchant of London, who, having receiv'd great Damages from the Eaſt-India Company, had brought the Matter by Petition into the Houſe of Lords originally, by whom he was reliev'd in 5000 Pounds Coſt. The Commons hearing of this, after a Debate, came to theſe Votes and Reſolves on the 2d of May: '1. That the Lords taking cognizance of the Matter ſet forth and contain'd in the Petition of Thomas Skinner Merchant, againſt the Governor and Company of Merchants trading to the Eaſt-Indies, concerning the taking away the Petitioner's Ship and Goods, and aſſaulting his Perſon, and their Lordſhips over-ruling the Plea of the ſaid Governor and Company, the ſaid Cauſe coming before their Houſe originally, only upon the Complaint of the ſaid Skinner, being a Common-Plea, is not agreeable to the Law of the Land; and tending to deprive the Subject of his Right, Eaſe and Benefit due to him by the ſaid Laws. 2. That the Lords taking cognizance of the Right and Title of the Iſland in the Petition mention'd, and giving Damages thereupon againſt the ſaid Governor and Company, is not warranted by the Laws of this Kingdom. 3. That the ſaid Thomas Skinner, in commencing and proſecuting a Suit by Petition in the Houſe of Lords againſt the Company of Merchants trading to the Eaſt-Indies (wherein ſeveral Members of this Houſe are Parties concern'd with the ſaid Company, in particular Intereſts and Eſtates) and in procuring Judgment therein, with Directions to be ſerv'd upon the Governor, being a Member of this Houſe; or upon the Deputy-Governor of the ſaid Company, is a Breach of the Privilege of this Houſe.' In concluſion, they order'd the ſaid Mr. Skinner, for ſo acting, to be taken into Cuſtody of the Serjeant at Arms.

The Votes of the Commons upon it.

The Eaſt-India Company having petition'd the Commons, as well as Mr. Skinner had the Lords, the Commons after their three Votes, further Reſolved, 'That the Petition of the Merchants trading to the Eaſt-Indies, and the two firſt Votes of this Houſe now paſſed, relating to the Juriſdiction of the Lords, be deliver'd by a Meſſage to the Lords Bar, with Reaſons for enforcing the ſaid Votes.' This occaſion'd two or three Conferences with the Peers; in one of which, the Duke of Buckingham deliver'd the following Speech:

'Gentlemen

Anno 20 Car. II. 1668.

Duke of Buckingham's Speech, at a Conference with the Commons.

Gentlemen of the House of Commons, I am commanded by the House of Peers, to open to you the matter of this Conference; which is a Task I could wish their Lordships had been pleased to lay upon any body else, both for their own sakes and mine: Having observed, in that little Experience I have made in the World, there can be nothing of greater difficulty, than to unite Men in their Opinions, whose Interests seem to disagree.

'This, Gentlemen, I fear is at present our Case; but yet I hope when we have a little better considered of it, we shall find that a greater Interest does oblige us, at this time, rather to join in the Preservation of both our Privileges, than to differ about the Violation of either.

'We acknowledge it is our Interest to defend the Right of the Commons, for should we suffer them to be oppressed, it would not be long before it might come to be our own Case; and I humbly conceive it will also appear to be the Interest of the Commons, to uphold the Privilege of the Lords, that so we may be in a Condition to stand by and support them.

'All that their Lordships desire of you upon this Occasion, is, That you will proceed with them as usually Friends do, when they are in dispute one with another; that you will not be impatient of hearing Arguments urged against your Opinions, but examine the weight of what is said, and then impartially consider which of us two are the likeliest to be in the wrong.

'If we are in the wrong, we and our Predecessors have been so for these many hundreds of Years, and not only our Predecessors, but yours too: This being the first time that ever an Appeal was made, in point of Judicature, from the Lords House to the House of Commons. Nay, these very Commons, which turned the Lords out of this House, though they took from them many other of their Privileges, yet left the constant Practice of this till the very last day of their Sitting; and this will be made appear by several Precedents these noble Lords will lay before you, much better than I can pretend to do.

'Since this Business has been in agitation, their Lordships have been a little more curious than ordinary, to inform themselves of the true Nature of these Matters now in question before us; which I shall endeavour to explain to you as far as my small Ability, and my Aversion to hard Words, will give me leave: for howsoever the Law, to make it a Mystery and a Trade, may be wrapt up in Terms of Art, yet it is founded in Reason and is obvious to common Sense.

Anno 29 Car. II. 1677.

' The Power of Judicature does naturally deſcend, and not aſcend; that is, no inferior Court can have any Power which is not derived to it from ſome Power above it.

' The King is by the Laws of this land, Supreme Judge in all Cauſes Eccleſiaſtical and Civil. And ſo there is no Court, high or low, can act but in ſubordination to him; and though they do not all iſſue out their Writs in the King's Name, yet they can iſſue out none but by virtue of ſome Power they have received from him.

' Now every particular Court has ſuch particular Power as the King has given it, and for that reaſon has its Bounds: But, the higheſt Court in which the King can poſſibly ſit, that is, his ſupreme Court of Lords in Parliament, has in it all his judicial Power, and conſequently no Bounds, I mean no Bounds of Juriſdiction; for the higheſt Court is to govern according to the Laws as well as the loweſt.

' I ſuppoſe none will make a queſtion, but that every Man and every Cauſe is to be tried according to Magna Charta; that is, by his Peers, or according to the Laws of the Land. And he that is tried by the Eccleſiaſtical Court, the Court of Admiralty, or the high Court of Lords in Parliament, is tried as much by the Laws of the Land, as he that is tried by the King's-Bench, or Common-Pleas.

' When theſe inferior Courts happen to wrangle among themſelves, which they muſt often do by reaſon of their being bound up to particular Cauſes, and their having all equally and earneſtly a Deſire to try all Cauſes themſelves, then the ſupreme Court is forced to hear their Complaints, becauſe there is no other Way of deciding them. And this, under favour, is an original Cauſe of Courts though not of Men.

' Now, theſe original Cauſes of Courts, muſt alſo of neceſſity induce Men, for ſaving of charges, and diſpatch ſake, to bring their Cauſes originally before the Supreme Court. But then the Court is not obliged to receive them, but proceeds by Rules of Prudence, in either retaining or diſmiſſing them as they think fit.

' This is, under favour, the Sum of all that your Precedents can ſhew us, which is nothing but what we practiſe every day; that is, that very often, becauſe we would not be moleſted with hearing too many particular Cauſes, we refer them back to other Courts; and all the Argument you can poſſibly draw from this, will not, in any kind, leſſen our Power, but only ſhow an Unwillingneſs we have to trouble ourſelves often with Matters of this Nature.

' Nor will this appear ſtrange, if you conſider the Conſtitution of our Houſe, it being made up partly of ſuch whoſe Employments will not give them Leiſure to attend the hear-

ing

ing of private Cauſes, and entirely of thoſe that can receive no Profit by it.

'And the truth is, the Diſpute at preſent is not between the Houſe of Lords and the Houſe of Commons, but between us and Weſtminſter-Hall. For as we deſire to have few or no Cauſes brought before us, becauſe we get nothing by them, ſo they deſire to have all Cauſes brought before them for a Reaſon a little of the contrary Nature.

'For this very Reaſon, it is their Buſineſs to invent new ways of drawing Cauſes to their Courts, which ought not to be pleaded there. As for Example, this very Cauſe of Skinner that is now before us (and I do not ſpeak this by rote, for I have the Opinion of a reverend Judge in the Caſe, who informed us of it the other day in the Houſe) they have no way of bringing this Cauſe into Weſtminſter-Hall but by this Form; the Reaſon and Senſe of which I leave you to judge of.

'The Form is this, that, inſtead of ſpeaking as we ordinary Men do that have no Art, that Mr. Skinner loſt a Ship in the Eaſt-Indies; to bring this into their Courts, they muſt ſay, that Mr Skinner loſt a Ship in the Eaſt-Indies, in the Pariſh of Iſlington, in the County of Middleſex.

'Now ſome of us Lords, that did not underſtand the Refinedneſs of this Style, began to examine what the Reaſons of this ſhould be; and ſo we found, that, ſince they ought not by right to try ſuch Cauſes, they are reſolved to make bold, not only with our Privileges, but the very Senſe and Language of the whole Nation.

'This I thought fit to mention, only to let you ſee that this whole Cauſe, as well as many others, could not be try'd properly in any Place but at our Bar; except Mr. Skinner would have taken a fancy to try the Right of Juriſdictions between Weſtminſter-Hall and the Court of Admiralty, inſtead of ſeeking Relief for the Injuries he had received, in the Place only where it was to be given him.

'One thing I hear is much inſiſted upon, which is the Tryal without Juries; to which I could anſwer, that ſuch Tryals are allowed of in the Chancery and other Courts, and that when there is Occaſion for them we make uſe of Juries too, both by directing them in the King's-Bench, and having them brought up to our Bar.

'But I ſhall only crave leave to put you in mind, that if you do not allow us in ſome Caſes to try without Juries, you will then abſolutely take away the Uſe of Impeachments, which I humbly conceive you will not think proper to have done at this Time.'

In the Cloſe of this Conference, the Lords declaring the Company's Petition to the other Houſe ſcandalous, &c. this

rais'd

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The Votes of the House in opposition to the Lords.

rais'd such a Ferment there, as produc'd the following new Votes and Resolves; as, 1. 'That the Petition of the East-India-Company to this House, touching the Proceedings of the House of Lords, in the Case of Thomas Skinner, is not scandalous. 2. That the Delivery of the said Petition of the East-India Company to the House, and the Entertainment thereof, and the Proceedings and Votes of this House thereupon, was no Breach of the Privilege or Encroachment upon the Jurisdiction of the House of Lords; but very proper and fit for this House, without Breach of the fair Correspondence, which ought to be between the two Houses. 3. That a Message be sent to the Lords to acquaint them, That this House doth take notice of the Desire of the Lords at the last Conference, For a good Union to be kept between both Houses: And it is the opinion of this House, that the best Expedient to preserve such an Union is, That all Proceedings be forborn upon the Sentence and Judgement of the Lords in the Case of Thomas Skinner against the East-India Company; and that Sir Andrew Riccard, Sir Samuel Barnardiston, Mr. Rowland Gwyn, and Mr. Christopher Boone be set at liberty; this House being unsatisfied with their Lordships Reasons offer'd at the last Conference.' Last of all, after a long Debate, they resolv'd, 'That whosoever shall be aiding or assisting in putting in execution the Order or Sentence of the House of Lords, in the Case of Thomas Skinner against the East-India Company, shall be deem'd a Betrayer of the Rights and Liberties of the Commons of England, and an Infringer of the Privileges of this House.

They had no sooner finish'd this Vote, which was on the 8th Day of May, but the King, by the Usher of the Black-Rod, sent for them to the House of Peers, where he pass'd

Acts passed.

these following public Bills: 1. An Act for raising Three Hundred and Ten Thousand Pounds, by an Imposition on Wines and other Liquors. 2. An additional Act against the Importation of Foreign Cattle. 3. An Act for proceeding to Judgment on Writs of Error brought in the Exchequer. 4. An Act for giving liberty to buy and export Leather, and Skins tanned or dressed. 5. An Act for the better Payment of Monies received for the Use of the Crown. 6. An Act for the Increase and Preservation of Timber within the Forest of Dean. 7. An Act to regulate the Trade of Silk-throwing. Having pass'd these, and some private Bills, his Majesty declar'd, 'That it was his pleasure, that 'the two Houses be adjourn'd till the 11th of August; that, 'if he could so order his Affairs, that they might forbear 'their assembling at that time, when their being in the 'Country would be so necessary for their private Occasions,

'he

'he would give timely Notice, that they might ſpare Atten- Anno 21 Car. II. 1669.
'dance.'

On the 19th Day of October the Parliament met, after a long Intermiſſion and Receſs of one Year, five Months, and ten Days. The Ninth Seſſion of the Second Parliament.

His Majeſty, having aſcended the Throne with the uſual Solemnity and Order in the Houſe of Lords, and being attended by the Houſe of Commons and their Speaker, deliver'd himſelf in this ſhort Speech:

'My Lords and Gentlemen,

'I Am very glad to ſee you here at this time; and I hope 'this will be a happy Seſſion: For I have had great 'experience of your Affections and Loyalty to me, and am 'very confident of the Continuance of it. It is now almoſt 'a Year and a half ſince your laſt Sitting: And tho' my 'Debts have preſs'd me much, yet I was unwilling to call 'for your Aſſiſtance till this Time: What you gave laſt, 'was wholly employ'd to the Navy, and that extraordinary 'Fleet for which it was intended. I deſire that you would 'now take my Debts effectually into your Conſideration. 'Something I have to propoſe to you of great Importance, 'concerning the uniting of England and Scotland, but it 'will require ſome length; and I have left that, and ſome 'other things, to the Lord-Keeper, to open them more fully 'to you.' The King's Speech to both Houſes.

Accordingly the Lord-Keeper Bridgeman made the following Speech: 'My Lords, and you the Knights, Citizens, and Burgeſſes of the Houſe of Commons, his Majeſty in his moſt gracious Speech hath expreſſed his great Satisfaction in ſeeing you here at this time; and his Hopes of a happy Iſſue of this Meeting: To obtain which, nothing can induce more than a good Correſpondency and Union among your ſelves. He hath reaſon to believe, that you all come with the ſame common Affections for the general Good, and therefore perſuades himſelf, there will be no Difference between the two Houſes; but, if there ſhould be any ſuch, he earneſtly recommends it to you, that, by your Moderation and Wiſdom, ſuch Expedients may be found out, as may compoſe them, and that thereby no Delay or Obſtruction be to your other Proceedings. His Majeſty hath alſo deſired you to take his Debts effectually into Conſideration. I need not mention to you the Uneaſineſs of his Condition with that Burden, nor the Inconveniencies or Miſchiefs which might fall out, if he ſhould continue under it. It is not unknown to you, that his Majeſty hath been a happy Inſtrument The Lord-Keeper Bridgeman's Speech.

1698. strument, by the Treaty at Aix, and by the Triple-Alliance, to procure Peace between the two Neighbouring Crowns: The ſecuring of that Peace (wherein our own Peace is concern'd, and his Majeſty's Reputation abroad) will alſo much depend upon your Kindneſs to him: And therefore he hopes you will conſider of how great an importance it is at this time, that his Majeſty be enabled to bear ſuch a Part in the Affairs of Europe, as may contribute moſt to his own Honour, and the Safety, Benefit and Glory of this Nation.

'My Lords and Gentlemen, you may remember that, upon his Majeſty's Recommendation, an Act was lately made for ſettling Freedom and Intercourſe of Trade between England and Scotland, which was occaſion'd upon Complaints of new Duties impos'd in each Kingdom upon divers Commodities of the Growth, Production, or Manufacture of the other. According to this Act, Commiſſioners were appointed by his Majeſty for both Kingdoms to treat upon that Affair; and they had ſeveral Meetings, which produc'd no Effect, unleſs it were a Conviction of the Difficulty, if not Impoſſibility of ſettling it in any other way than by a nearer and more compleat Union of the two Kingdoms. His Majeſty is fully perſuaded that nothing can tend more to the Good and Security of both Nations, than ſuch an Union; and finds that his Royal Grandfather King James, of bleſſed Memory, went ſo far on towards this good Work, that, by an Act of Parliament in the firſt Year of his Reign, Commiſſioners were authorized to treat and conſult with Commiſſioners from Scotland concerning it. And in purſuance of their treating, in the fourth Year of his Reign, an Act was made for the Repeal of hoſtile Laws, and the Abolition of the Memory of Hoſtility between the two Nations: And after the End of that Seſſion, about the ſeventh Year of his Reign, it was by the Judges of all the Courts at Weſtminſter-Hall ſolemnly adjudg'd in the Caſe of the *Poſt-Nati*, That thoſe who, after the Deſcent of the Crown to King James, were born in Scotland, were no Aliens in England; and conſequently were capable not only of Lands, but all other Immunities, as if they had been born here. By theſe Steps ſo great an Advance hath been made towards this Union, that his Majeſty well hopes that what is yet wanting to the perfecting of it, may be now accompliſh'd; the Continuance under the ſame Obedience and Subjection for near Threeſcore and ſeven Years, having begotten the ſame common Friends, and common Enemies to both Nations, and taken off a great Part of thoſe Difficulties, which, at the firſt, ſtood in the way. And therefore his Majeſty doth moſt heartily recommend it unto you, That Commiſſioners may be nominated to treat and conſult with Commiſſioners from Scotland,

land, concerning this Union. His Majesty hath given Directions to the Earl of Lauderdale, his Commissioner for Scotland, to make the like Proposal to the Parliament which is now sitting there; and doubts not but, upon the Meeting of such Commissioners of both Kingdoms, those things will be offer'd to your Considerations, in order to the Union, as shall tend to the Honour of his Majesty, and the common Good of all his Subjects.' Anno 21 Car. II. 1669.

Instead of taking these Speeches into Consideration, the Commons enquired into the Points of Privileges, with relation to the two Houses, and were strict in the Examination of the Accounts of the Monies expended by the Public; in the passing of which, they found Sir * George Carteret, who had the keeping of some of the Books, so blameable, that they expell'd him the House. But being much oblig'd with the King's last Proclamation, they soon resolv'd, 'That the humble and hearty Thanks of this House be return'd to the King's Majesty for issuing out his Proclamation for putting in execution the Laws against Nonconformists, and for suppressing Conventicles, with the humble Desire of this House for his Majesty's Continuance of the same Care for suppressing of them for the future.' The Concurrence of the Lords being desired, and readily obtain'd, on the 6th of November both Houses, in pursuance of this Vote, attended his Majesty in the Banqueting-House in White-hall, where the Lord-Chief-Justice Vaughan, supplying the Room of the Lord-Keeper then indispos'd, in the Name of both Houses return'd his Majesty the fore-mentioned Thanks: For which he return'd them this particular Answer, 'My Lords and 'Gentlemen, I thank you for this Mark of your Affection 'to me: I doubt not of the Continuance and Concurrence 'of it in other things, as well as in this of my Proclamation: 'I recommend to you, that you would well weigh all that 'I say and desire in it towards the Welfare and Peace of 'the Nation; in order to which, as I shall always be ready 'to contribute my utmost Endeavours, so I hope you will 'never be failing in yours to enable me to do it.' After which the Commons appointed a Committee to enquire into the Behaviour of the Dissenters, who reported, 'That there were divers Conventicles and other seditious Meetings near the Parliament, where great Numbers of evil-affected Persons frequently meet; which they conceiv'd, was not only an Affront to the present Government, but also of imminent Danger to both Houses of Parliament, and the Peace of the Kingdom.' Upon which the whole House made this Declaration and Resolution, That they will adhere to his Majesty in the Maintenance of the Government of the Church and State,

Sir George Carteret expell'd.

* *Vice-Chamberlain.*

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State, as it is now eſtabliſh'd, againſt all Enemies whatſoever. Shortly after, Information was given to the Houſe from General Monk, 'Of the great Reſort of dangerous and diſaffected Perſons to this Town, and of their Meetings and Endeavours to diſturb the public Peace; and that he had, and would take care what he could to prevent their Attempts.' Upon which the Commons immediately reſolv'd, 'That the Thanks of the Houſe be return'd to the Lord-General, for his care in preſerving the Peace of the Kingdom.' So that the ſuppreſſing or reſtraining of Conventicles was now look'd upon not ſo much a matter of Religion, as of Neceſſity and Safety to the Government.

As to point of Privilege, the Commons, not having ſatisfaction in the laſt Seſſion, reviv'd the Debate of the Difference between the two Houſes, as it ſtood upon the Caſe of the Eaſt-India Company, and Skinner the Merchant; and, underſtanding that Sir Samuel Bernardiſton was a particular Sufferer by the Lords in this caſe, they examin'd him in the matter, who, at the Bar of the Houſe, gave them this ſhort Account: 'Mr. Speaker, as ſoon as the Commons, according to his Majeſty's Command, had adjourn'd themſelves on the 8th of May, 1668, I was preſently call'd as a Delinquent upon my Knees to the Bar of the Lords Houſe, and demanded, What I had to ſay for my ſelf why the Judgment of that Houſe ſhould not paſs upon me, for having a hand in, and being one of the Contrivers of a ſcandalous Libel againſt that Houſe: To which my Reply was, That I knew not my ſelf to be concern'd in any ſcandalous Libel; but true it was, I did deliver a Petition to the Houſe of Commons, in behalf of the Eaſt-India Company by their Order, being Deputy-Governour; and I did it out of no other deſign, than to preſerve the Company's Intereſt and Eſtate, according to my Oath and Duty of my Place. Then I was commanded to withdraw, and others were call'd in: Soon after ſome of the Lords came to me in their Lobby, and told me, the Houſe was highly incens'd againſt me; that I ſhould preſently be call'd in again, and if I did not then ſubmit my ſelf, and own my Fault, I muſt expect the Indignation of the Houſe of Peers to fall upon me. And being call'd in again the ſecond time, it was demanded, What further I had to ſay for my ſelf, before Judgment ſhould paſs againſt me. When repeating my former Diſcourſe, adding, That I had no deſign to create any Difference between the two Houſes, but to preſerve the Company's Eſtate; yet if I had offended their Lordſhips, I humbly begg'd their pardon. Being then commanded to withdraw again, I was afterwards call'd in: And, being upon my Knees, Sentence was pronounc'd againſt me, to pay Three Hundred Pounds

Sir S. Bernardiſton's Narrative to the Houſe.

Pounds Fine to his Majeſty, and to lie in Cuſtody of the Black-Rod till the Money was paid. And accordingly, Sir John Eyton, Uſher of the Black-Rod, kept me in his Cuſtody till the 10th of Auguſt following, when, at nine at Night, he came to me and ſaid, Sir Samuel, I am come to diſcharge you from your Impriſonment, and you may go when, and where you pleaſe. I then demanded how this unexpected Releaſement came to paſs, and to whom I was beholden for the ſame. He reply'd, You are diſcharg'd upon honourable Terms, but pray ask me no Queſtions, for I muſt make you no Anſwer: Yet if I ſee you to-morrow, after the Houſe is adjourn'd, I will tell you more; there is a Myſtery, but I have ſufficient Authority for what I do.'

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Upon hearing of this, the Houſe fell into a warm Debate about ſome Expedients for ſettling the Difference in point of Privilege and Juriſdiction of the two Houſes, which cou'd not be ended that Night; and after that they reſolved to bring in a Bill for that purpoſe. This appear'd to be a Matter of too great Nicety and Difficulty to be effected in a ſhort time. However, after Conferences with the Houſe of Lords, they came to theſe five grand Reſolutions. 'I. That it is an inherent Right of every Commoner of England to prepare and preſent Petitions to the Houſe of Commons in Caſe of Grievance, and the Houſe of Commons to receive the ſame: In evidence whereof, it is one of the firſt Works that is done by the Commons, to appoint a grand Committee to receive Petitions and Informations of Grievances. II That it is the undoubted Right and Privilege of the Commons to judge and determine concerning the Nature and Matter of ſuch Petitions, how far they are fit or unfit to be receiv'd; and that in no Age they found any Perſon preſenting a Grievance by way of Petition to the Houſe of Commons, and received by them, that was ever cenſur'd by the Lords, without Complaint by the Commons. III. That no Court whatſoever hath Power to judge or cenſure any Petition preſented to the Houſe of Commons, and received by them, unleſs tranſmitted from thence, or the Matter complained of by them: And that no Suitors for Juſtice in any Inferior Court in Law or Equity, are therefore puniſhable Criminally, tho' untrue, or ſuable by way of Action in any other Court; but are only ſubject to a moderate Fine or Amercement by that Court, unleſs in ſome Caſes ſpecially provided by Act of Parliament, as Appeals, or the like. In caſe Men ſhould be puniſhable in other Courts for preſenting Petitions to the Houſe of Commons, it may deter his Majeſty's Subjects from ſeeking Redreſs of their Grievances, and fruſtrate the principal End for which Parliaments were

The Commons Reſolves upon it.

Anno 21 Car. II. 1669.

ordain'd. IV. Whereas a Petition from the East-India Company was preſented to the Houſe by Sir Samuel Bernardiſton and others, complaining of Grievances therein, which the Lords have cenſured under the Notion of a Scandalous Paper or Libel: The ſaid Cenſure, and Proceeding of the Lords againſt the ſaid Sir Samuel Bernardiſton, are contrary to, and a Subverſion of the Rights and Privileges of the Houſe of Commons, and Liberties of the Commons of England; and further, no Petition, or any Matter depending in the Houſe of Commons, can be taken notice of by the Lords, without Breach of Privilege, unleſs permitted by the Houſe of Commons. V. That the Continuance upon Record of the Judgment given by the Lords, and complain'd of by the Commons, in the laſt Seſſion of this Parliament, in the Caſe of Thomas Skinner and the East-India Company, is prejudicial to the Rights of the Commons of England.' In concluſion they added this further Allegation, 'That the Houſe of Peers, as well as all other Courts, are in all their Judicial Proceedings to be guided and governed by Law: But if they ſhall give a wrongful Sentence contrary to Law, and the Party griev'd might not ſeek Redreſs thereof in full Parliament, and for that End repair to the Houſe of Commons, (who are Part of the Legiſlative Power) That either they may interpoſe with their Lordſhips for the Reverſal of ſuch Sentence, or prepare a Bill for that purpoſe, and for the preventing the like Grievances for the Time to come; the Conſequence thereof wou'd plainly be, That their Lordſhips Judicature is boundleſs and above Law, and that the Party grieved ſhall be without Remedy.' Therefore, as a preſent Remedy, they reſolved upon theſe two following Propoſitions to be preſented to their Lordſhips: 'Firſt, That the Lords be deſired to vacate the Judgment againſt Sir Samuel Bernardiſton, given the laſt Seſſion of this preſent Parliament. Secondly, That the Lords be alſo deſired to vacate the Judgment againſt the East-India Company, given by them the laſt Seſſion of this Parliament.

The End of the Ninth Seſſion of the Second Parliament.

On the 11th Day of December, the King, by Commiſſion ſuddenly put a ſtop to all Proceedings, by proroguing both Houſes to the 14th Day of February next. Thus ended the ninth Seſſion, or rather tenth, without paſſing one Act; tho' a Supply of four hundred thouſand Pounds, had been Voted for his Majeſty's Special Occaſions.

The Tenth Seſſion of the Second Parliament.

On the 14th Day of February, the Parliament met again after a ſhort Receſs of not above two Months, and three Days; when his Majeſty, having been attended to the Houſe with the additional Pomp of his new Guards, made the following Speech from the Throne.

'My

The King's Speech to both Houſes.

'My Lords and Gentlemen,

'I Sent forth my Proclamation that there might be a good 'Appearance at this Meeting, having moſt Confidence 'in Full Houſes, where the Well-being of the Church, and 'all other Intereſts of the Crown and Nation are beſt ſecured. 'When we laſt met, I asked you a Supply, and I ask it 'now again with greater Inſtance; the Uneaſineſs and 'Straitneſs of my Affairs cannot continue without very ill 'Effects to the whole Kingdom: Conſider this ſeriouſly and 'ſpeedily; it is yours and the Kingdom's Intereſt as well as 'mine; and the ill Conſequence of a Want of an effectual 'Supply muſt not lie at my door. And that no Miſapprehenſions or Miſtakes touching the Expences of the laſt 'War may remain with you, I think fit to let you know, 'That I have fully inform'd myſelf in that Matter, and do 'affirm to you, that no part of thoſe Moneys that you gave 'to me, have been diverted to other Uſes; but on the contrary, beſides all thoſe Supplies, a very great Sum hath 'been raiſed out of my ſtanding Revenue and Credit, and 'a very great Debt contracted, and all for the War. One 'thing I muſt earneſtly recommend to the Prudence of both 'Houſes, That you will not ſuffer any Occaſion of difference 'between your ſelves to be reviv'd; ſince nothing but the 'Unity of your Minds and Counſels can make this Meeting 'happy either to me or to the Nation. I did recommend 'to you, at our laſt Meeting, the Union of the two Kingdoms; 'and I did the ſame to my Parliament in Scotland; they 'have made a great Step towards it; and I do again ſeriouſly 'recommend that Matter to you. I have directed my Lord 'Keeper to ſpeak more at large to you.'

'Accordingly the Lord Keeper Bridgeman ſpoke as follows.

The Lord Keeper's Speech.

'My Lords, and you Knights, Citizens, and Burgeſſes of the Houſe of Commons, At your laſt Meeting, his Majeſty did acquaint you with the great Occaſions he had for a Supply, and that he had forborn to ask it ſooner, more in Conſideration of giving ſome Time, for the Eaſe of the People after the Burden of the War, than that the Condition of his Affairs cou'd ſo long have wanted it: And his Majeſty hath commanded me now to ſpeak more fully and plainly upon this Subject. His Majeſty hath not only by his Miniſters, but in his own Royal Perſon examin'd the Accounts, touching the Expences of the laſt War, and hath thought himſelf concern'd to let you know, that all the Supplies which you gave him for the War, have been by him apply'd to the War, and no Part of them to any other Uſes: Nay, ſo far from it, that if the Preparations towards the War ſhall be

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be taken to be for the Uſe of the War, as they muſt be; a great Part of his own Revenue, to many hundred thouſands of Pounds, hath been employ'd alſo, and ſwallow'd up in the Charge of the War, and what did neceſſarily relate to it. To which may be added the great Debts contracted by his Majeſty in the War, and the great Charges in the Repairs of the Hulls of his Ships, and putting his Navy into ſuch a Condition as it was before. Beſides, his Majeſty thinks it ought to be conſider'd, that when the Charges of the War were at the higheſt, the inevitable Effects of it, and thoſe other Calamities, which it pleas'd God at that time to bring upon us, did make ſo great a Diminution of his Revenues, that, beſides all other Accidents and Diſadvantages, the Loſs that he ſuſtain'd in Three Branches of his Revenue, in his Cuſtoms, Exciſe, and Hearth-Money, by reaſon of the War, the Plague, and the Fire, did amount to little leſs than to ſix hundred thouſand Pounds. Thus you ſee, that tho' your Supplies have been great, yet the Charges occaſion'd by the War, and the Calamities which accompany'd it, have been greater: And that the Debt which is left upon his Majeſty, and which he complains of, hath been contracted by the War, and not by the Diverſion of the Monies deſign'd for it.'

'His Majeſty hath commanded me to ſay one Thing more to you upon this Subject, That he did not enter into the War upon any private Inclination or Appetite of his own. The firſt ſtep he made towards it, did ariſe from your Advice, and the Promiſes of your Aſſiſtance: But if the Charges and Accidents of the War have outgone all your Supplies, and left him under the Burden of this Debt, he thinks that as well the Juſtice to your Promiſe, as the Duty and Loyalty you have always ſhew'd him, will oblige you to relieve him from it; and the rather, when you ſhall ſeriouſly conſider, how uneaſy this Burden muſt be to him, and what ill Conſequences the Continuance under it muſt draw upon all his Affairs; in which Particular, you, and every Perſon you repreſent in this Nation, will be concern'd, as well as himſelf. His Majeſty doth therefore command me in his Name, to deſire you once more, and to conjure you, by that conſtant Duty and Loyalty which you have always expreſs'd to him, and by all the Concernment you have for the Support of the Honour and Safety of his Government, to provide ſuch a Supply for him at this Time, as may bear Proportion to the preſſing Occaſions that he hath, and to the State of his Affairs at home and abroad; and ſo ſpeedily and ſo effectually, as may anſwer the Ends for which he hath deſired it. His Majeſty hath farther commanded me to put you in mind of

what

what was at your last Meeting propos'd to you, concerning an Union between the two Kingdoms, and to let you know, that the Parliament of Scotland hath since declar'd to his Majesty, That such Commissioners as his Majesty shall name, shall be authoriz'd on their Part, to treat with Commissioners for this Kingdom, upon the Grounds and Conditions of the Union. His Majesty therefore thought fit now again to recommend it to you, to take that Matter effectually into your Consideration.'

Acts at Com. 1669. 70.

During this short Session of Parliament, which lasted but a little above seven Weeks, four Things were chiefly in Debate and Agitation, namely, the unhappy Difference between the two Houses, the Prosecution of the Dissenters, the Union of the two Kingdoms, and the Supplies for his Majesty's Service. The first being reviv'd to such a Degree as might hazard the Success of the last, the King himself thought fit to interpose, and to make a Proposition of an Expedient; which, after eight Days sitting, he did to both Houses summon'd to Whitehall, in this following short Speech:

'My Lords and Gentlemen,

'I Did very earnestly recommend to you the other day, 'That you wou'd not suffer any Differences between 'yourselves to be reviv'd; and I think it of so great Import'ance, that I have sent for you again upon the same Sub'ject. I remember very well, that the Case of Skinner was 'first sent by me to the Lords. I have therefore thought my'self concern'd to offer to you what I judge the best and safest 'way to put an end to the Differences: I will myself give 'present Order to raze all Records and Entries of this Mat'ter in the Council Books, and in the Exchequer, and to 'desire you to do the like in both Houses, that no Memory 'may remain of this Dispute between you; and then I hope 'all future Apprehensions will be secured.'

The King's Proposal to both Houses, in the affair of Skinner.

This had such an Effect upon the House of Commons, who thought themselves the only Persons aggriev'd, that they immediately resolv'd, 'That in obedience to his Majesty's Command in his Speech, a Razure or Vacate be made in the Journal of the House of all the Matters therein contain'd, relating to the Business of the East-India Company and Skinner.' Which was not only done, but they further Resolv'd, 'That the Humble Thanks of this House be return'd to his Majesty, in the Name of this House, and of all the Commons of England, for his Majesty's gracious Speech, and Favour therein expres'd to this House, and the Commons of England.'

It is accepted of.

This

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This Point thus obtain'd, and ſeveral Informations having been prefer'd to the Houſe againſt the Meetings of Diſſenters, eſpecially one in the Weſt, where it was ſaid treaſonable Words were ſpoke; they reſolved, 'That the Thanks of this Houſe be return'd to his Majeſty, for his Care in giving Order to bring the Offenders to Juſtice; And that his Majeſty would be pleas'd to conſider the Danger of Conventicles in and near London and Weſtminſter, from the Nature of thoſe further Offenders, and to give Order for the ſpeedy ſuppreſſing them: And likewiſe, that his Majeſty wou'd give Order to put the Laws in execution againſt Popiſh Recuſants; and that leave be given to bring in a Bill for the more eaſy and ſpeedy Conviction of Popiſh Recuſants.' In this Vote the Lords unanimouſly join'd; and accordingly, on the 11th of March, they attended the King in the Banquetting-Houſe with the ſaid Vote and Deſire, who was pleas'd to declare, That effectual Courſe ſhou'd be taken in both Caſes.

Reſolutions againſt Diſſenters.

After this they proceeded with great Expedition, and ſeveral Bills being got ready, on the 11th of April, his Majeſty came to the Houſe of Peers, and paſs'd theſe following Bills. 1. An Act for granting his Majeſty an Impoſition upon all Wines and Vinegar imported between June 1670, and June 1678. 2. An Act for taking away the Benefit of the Clergy from ſuch as ſteal Cloth from Racks, and ſuch as ſhall ſteal or imbezzle his Majeſty's Ammunition and Stores. 3. An Act for Improvement of Tillage, and the Breed of Cattle. 4. An Act for aſcertaining the Meaſures of Corn and Salt. 5. An Act for the Repairing the Haven and Peers of Great Yarmouth. 6. An additional Act for the better repairing of High-Ways and Bridges. 7. An Act for the Advancing the Sale of his Majeſty's Fee-Farm Rents, and other Rents. 8. An Act to ſuppreſs and prevent ſeditious Conventicles. 9. An Act for ſettling the Impoſition upon Brandy. 10. An Act for authorizing ſeveral Commiſſioners of the Realm of England, to treat with Commiſſioners of Scotland, for the Weal of both Kingdoms. 11. An additional Act for Rebuilding of the City of London, Uniting of Pariſhes, and Rebuilding of the Cathedral and Parochial Churches within the ſaid City. 12. An Act to enable his Majeſty to make Leaſes, Grants, and Copies of Offices, Lands, Tenements and Hereditaments, Parcel of his Highneſs's Dutchy of Cornwall, or annex'd to the ſame. Upon paſſing theſe Acts, his Majeſty declar'd that it was his Pleaſure that the Parliament ſhou'd be only adjourn'd, and that to the 24th Day of October; and thus the Tenth Seſſion of this Parliament broke up, after it had ſate a little above ſeven Weeks.

Several Acts paſſed.

The Parliament breaks up.

Octob.

Octob. 24. The Parliament met again, according to Adjournment, when his Majesty, in a short Speech, refer'd all to his Lord-Keeper Bridgeman, who spoke as follows:

The Lord-Keeper's Speech to both Houses.

'My Lords, and you the Knights, Citizens, and Burgesses of the House of Commons, When the two Houses were last adjourn'd, this Day, as you know, was prefix'd for our Meeting again; the Proclamation since issu'd, requiring all your Attendance at the same Time, shewing not only his Majesty's Belief that his Business will thrive best when the Houses are fullest, but the Importance also of the Affairs, for which you are so called; and Important they are. You cannot be ignorant of the great Forces, both for Land and Sea-Service, which our Neighbours of France and the Low-Countries have new raised, and have now in actual Pay, nor of the great Preparations they continue to make in Levying of Men, Building of Ships, filling their Magazines and Stores with immense Quantities of all Sorts of warlike Provisions. Since the Beginning of the last Dutch War, the French have increas'd the Greatness and Number of their Ships so much, that their Strength by Sea is thrice as much as it was before. And, since the End of it, the Dutch have been very diligent also in augmenting their Fleets. In this Conjuncture, when our Neighbours arm so potently, even common Prudence requires that his Majesty should make some suitable Preparations; that he may at least keep pace with his Neighbours, if not out-go them in Number and Strength of Shipping. For this being an Island, both our Safety, our Trade, our Being, and our Well-being depend upon our Forces at Sea. His Majesty therefore, of his princely Care for the Good of his People, hath given order for the Fitting out fifty Sail of the greatest Ships, against the Spring, besides those which are to be for Security of our Merchants in the Mediterranean; as foreseeing, if he should not have a considerable Fleet, while his Neighbours have such Forces both at Land and Sea, Temptation might be given to those who seem not now to intend it, to give us an Affront, at least, if not to do us Mischief. To which may be added, That his Majesty, by the Leagues he hath made for the common Peace of Christendom, and the Good of his Kingdoms, is oblig'd to a certain Number of Forces, in case of Infraction thereof: as also for the Assistance of some of his Neighbours, in case of Invasion. And his Majesty would be in a very ill Condition to perform his Part of the Leagues, if (while the Clouds are gathering so thick about us) he should, in hopes that the Wind would disperse them, omit to provide against the Storm.

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' My Lords and Gentlemen, Having nam'd the Leagues made by his Majeſty, I think it neceſſary to put you in mind, That, ſince the Cloſe of the late War, his Majeſty hath made ſeveral Leagues, to his own Honour, and infinite Advantage to the Nation: One, known by the Name 1. of the Triple Alliance, wherein is Majeſty, the Crown of Sweden, and the States of the United Provinces, are engag'd to preſerve the Treaty of Aix-la-Chapelle, concerning a Peace between the two warring Princes; which Peace produc'd that Effect, That it quench'd the Fire which was ready to have ſet all Chriſtendom in a Flame; and beſides other great Benefits by it, which we ſtill enjoy, gave Opportunity to tranſmit thoſe Forces againſt the Infidels, which would otherwiſe have been imbrued in 2. Chriſtian Blood. Another, between his Majeſty and the ſaid States for a mutual Aſſiſtance with a certain Number of Men and Ships, in caſe of Invaſion by any other. 3. Another, between his Majeſty and the Duke of Savoy, eſtabliſhing a free Trade for his Majeſty's Subjects at Villa Franca, a Port of his own upon the Mediterranean, and through the Dominions of that Prince, and thereby opening a Paſſage to a rich Part of Italy, and a Part of Germany, which will be of a very great Advantage for the Vending of Cloth, and other our home Commodities, bringing back Silk, and other Materials for Manufactures here. 4. Another, between his Majeſty and the King of Denmark, whereby thoſe other Impoſitions that were lately laid upon our Trade there, are taken off, and as great Privileges granted to our Merchants, as ever they had in former Times, or as the Subjects of any other Prince or State do now enjoy. 5. Another, upon a Treaty of Commerce with Spain, whereby there is not only a Ceſſion and giving up to his Majeſty of all their Pretenſions to Jamaica, and other Iſlands and Countries in the Weſt-Indies, in the Poſſeſſion of his Majeſty or his Subjects, but withal, free Liberty is given to his Majeſty's Subjects to enter their Ports for Victuals and Water, and Safety of Harbour, and Return, if Storm or other Accidents bring them thither; Privileges which were never before granted by them to the Engliſh or any others. Not to mention the Leagues formerly made with Sweden and Portugal, and the Advantages which we enjoy thereby; nor thoſe Treaties now depending between his Majeſty and France, or his Majeſty and the States of the United Provinces touching Commerce; wherein his Majeſty will have a ſingular Regard to the Honour of this Nation, and alſo to the Trade of it, which never was greater than now it is. In a word, almoſt all the Princes of Europe do ſeek his Majeſty's Friendſhip, as acknowledg-

acknowledging they cannot ſecure, much leſs improve their preſent Condition without it.

My Lords and Gentlemen, His Majeſty is confident that you will not be contented to ſee him depriv'd of all the Advantages which he might procure hereby to his own Kingdoms, nay, even to all Chriſtendom, in the Repoſe and Quiet of it. That you will not be content alone to ſee your Neighbours ſtrengthening themſelves in Shipping, ſo much more than they were before, and at home to ſee the Government ſtruggling every Year with Difficulties; and not able to keep up our Navies equal with theirs. He finds, that by his Accounts from the Year 1660, to the late War, the ordinary Charge of the Fleet, *communibus Annis*, came to about five hundred thouſand Pounds a Year, and it cannot be ſupported with leſs. If that Particular alone takes up ſo much, add to it the other conſtant Charges of the Government, and the Revenue (although the Commiſſioners of the Treaſury have manag'd it with all imaginable Thrift) will in no degree ſuffice to take off the Debts due upon Intereſt, much leſs give him a Fund for the ſetting out of this Fleet, which, by common Eſtimation thereof, cannot coſt leſs than eight hundred thouſand Pounds. His Majeſty in his moſt gracious Speech hath expreſs'd the great Senſe he hath of your Zeal and Affection for him, and as he will ever retain a grateful Memory of your former Readineſs to ſupply him in all Exigencies, ſo he doth, with particular Thanks acknowledge your frank and chearful Gift of the new Duty upon Wines, at your laſt Meeting: But the ſame is likely to fall very ſhort in Value of what it was conceiv'd to be worth; and ſhould it have anſwer'd Expectation, yet far too ſhort to eaſe and help him upon theſe Occaſions. And therefore ſuch a Supply as may enable him to take off his Debts upon Intereſt, and to ſet out this Fleet againſt the Spring, is that which he deſires from you, and recommends it to you, as that which concerns the Honour and Support of the Government, and the Welfare and Safety of yourſelves, and the whole Kingdom. Now, my Lords and Gentlemen, you may perceive by what his Majeſty hath already ſaid, that he holds it requiſite that an End be put to this Meeting before Chriſtmas. It is ſo, not only in reference to the Preparation for the Fleet, which muſt be in Readineſs in the Spring, but alſo to the Seaſon of the Year. It is a Time when you would be willing to be in your Countries, and your Neighbours would be glad to ſee you there, and partake of your Hoſpitality and Charity; and you thereby indear yourſelves to them, and keep up that Intereſt and Power among them, which is neceſſary for the Service of your King and Country: And a Receſs

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at that Time, leaving your Buſineſs unfiniſh'd till your Return, cannot either be convenient for you, or ſuitable to the Condition of his Majeſty's Affairs, which requires your ſpeedy as well as affectionate Conſideration.'

This Speech produced a Vote from the Houſe, 'That his Majeſty ſhould be ſupply'd proportionably to his preſent Occaſions.' Accordingly they went upon Ways and Means of all Sorts, and in a ſhort time began to form three ſeveral Money Bills; the Firſt was for raiſing eight hundred thouſand Pounds by way of Subſidies upon Real and perſonal Eſtates: The Second was an additional Exciſe upon Beer, Ale, &c. for ſix Years; and the laſt was for laying Impoſitions on Proceedings at Law, which was to continue nine Years. While theſe things were in agitation, Sir Samuel Sterling the late Lord-Mayor, Sir Joſeph Sheldon, Sir Andrew King, and others of the Lieutenancy, having committed Mr. Hayes and Mr. Jekell, for attempting to bribe the Magiſtrates in Caſe of the Act againſt Conventicles; the Matter was brought before the Houſe of Commons, and being debated, it was thus Reſolv'd; 'That this Houſe doth give Approbation to what was done by the late Lord-Mayor, Sir Samuel Sterling, and the Lieutenancy of London, in committing Mr. Hayes and Mr. Jekell; and that it was done in order to the Preſervation of the King, and Peace of the Kingdom.' Notwithſtanding this Vote, Mr. Jekell ſoon after ventur'd to ſue Sir Andrew King at Law; of which Information being given to the Commons, they fell into a heat, and Reſolv'd, 'That Mr. Jekell be ſent for in the Cuſtody of the Serjeant at Arms, to anſwer his Contempt in proſecuting his Suit at Law againſt Sir Andrew King, after the Vote of this Houſe, whereby it was declared, That the Commitment of the ſaid Mr. Jekell was in order to the Preſervation of the King, and Peace of the Kingdom.' And further, they order'd Mr. Burton, Counſel for Mr. Jekell, and Mr. Ogden his Attorney, to be likewiſe ſent for in Cuſtody of the Serjeant at Arms, for their Contempt in moving and acting for Mr. Jekell, after the fore-mention'd Vote: But were afterwards on their Submiſſion diſcharg'd.

Several Money Bills in Agitation.

The Houſe afterwards adjourn'd for a Month, in which Interval, Sir John Coventry, a leading Member, had his Noſe cut, as 'tis ſaid, by order from Court, on this Occaſion. In the Debate on the Supply, a Motion was made for laying a Tax on Play-houſes, which was oppos'd by the Courtiers, who gave for a Reaſon, *That the Players were the King's Servants, and a Part of his Pleaſure.* To this Sir John, by way of Reply, ask'd, *If the King's Pleaſure lay among the Men or Women Players?* This Violence committed on a Member, as ſuppos'd, for what was ſpoken within doors, brought

The Houſe adjourn'd.

Sir John Coventry's Noſe cut.

brought the Houſe together in ill Humour, at the latter End of January: And ſo far did they carry their Reſentment, that they declin'd all other Affairs till they had paſs'd a Bill againſt thoſe who were the Authors or Actors of the Villany. Accordingly they drew up a Bill, in which they made the Criminals incapable of any Pardon but by particular Act of Parliament, and made it Death for the future for any Man maliciouſly to diſable or diſmember another, to put out an Eye, to cut off a Noſe or Lip, &c. and concluded all with one peculiar Clauſe, 'That his Majeſty's royal Aſſent to this Bill ſhould not determine this Seſſion of Parliament.' This was afterwards commonly call'd by the Name of Coventry's Act; which being ſent up to the Lords, his Majeſty ſoon after, on the 14th of February, ſent a Meſſage by Mr. Secretary Trevor to acquaint them, 'That his Majeſty was inform'd, that there had ſome Bills paſs'd both Houſes, and that there were others depending near their diſpatch, which he deſir'd them to haſten, eſpecially thoſe for his Supply: And leſt they ſhould not be ready for his Aſſent by the 22d of this Inſtant February, he had given Order for the Adjourning of the Seſſion until the 10th of March next.

Anno 29 Car. II. *March.*

The Tenth Seſſion continu'd.

Coventry's Act paſs'd.

But notwithſtanding this Meſſage, they proceeded to other Matters as well as the Supplies, and in particular drew up the following remarkable Addreſs againſt Popery, in which the Lords afterwards join'd: 'May it pleaſe your moſt Excellent Majeſty, We your Majeſty's moſt humble and loyal Subjects, the Lords and Commons in this preſent Parliament, being ſenſible of your Majeſty's Conſtancy to the Proteſtant Religion, both at home and abroad, hold ourſelves bound in Conſcience and Duty to repreſent to your Majeſty the Cauſes of the dangerous Growth of Popery in your Majeſty's Dominions, the ill Conſequence whereof we heartily deſire may be prevented. And therefore what we humbly conceive to be ſome preſent Remedies for the ſaid growing Miſchiefs, we have hereunto added in our moſt humble Petitions:

The Addreſs of both Houſes againſt Popery.

Cauſes of the Growth of Popery.

'That there are great Numbers of Prieſts and Jeſuits frequenting the Cities of London and Weſtminſter, and moſt of the Counties of this Kingdom, more than formerly, ſeducing your Majeſty's good Subjects. 2. That there are ſeveral Chapels and Places uſed for ſaying of Maſs in the great Towns, and many other Parts of the Kingdom, beſides thoſe in Embaſſadors Houſes, whither great Numbers of your Majeſty's Subjects conſtantly reſort and repair without Controll: And eſpecially in the Cities of London and Weſtminſter, contrary to the Laws Eſtabliſhed. 3. That there are Fraternities or Convents of Engliſh Popiſh Prieſts and

Anno 25 Car. II. 1673-5.

Jeſuits at St James's, and at the Combe in Herefordſhire, and other Parts of the Kingdom; beſides, ſeveral Schools are kept in divers Parts of the Kingdom for the corrupt Educating of Youth in the Principles of Popery. 4. The common and public ſelling of popiſh Catechiſms, and other ſeditious Books, even in the Time of Parliament. 5. The general Remiſſneſs of the Magiſtrates and other Officers, Clerks of the Aſſize, and Clerks of the Peace, in not Convicting of Papiſts according to Law. 6. That ſuſpected Recuſants are free from all Offices chargeable and troubleſome, and do enjoy the Advantage of Offices and Places beneficial; executed either by themſelves, or Perſons entruſted for them. 7. That the Advowſance of Churches, and Preſentations to Livings are diſpos'd by Popiſh Recuſants, or by others entruſted by them as they direct; whereby moſt of thoſe Livings and Benefices are fill'd with ſcandalous and unfit Miniſters. 8. That many Perſons take the Liberty to ſend their Children beyond the Seas to be educated in the popiſh Religion; and that ſeveral young Perſons are ſent beyond the Seas, upon the Notion of their better Education, under Tutors and Guardians who are not put to take the Oaths of Allegiance and Supremacy, and uſually corrupt the Youth under their Tuition, into Popery. 9. That there have been few Exchequer Proceſſes iſſu'd forth ſince the Act of Parliament againſt Popiſh Recuſants Convict, tho' many have been certify'd thither. 10. The great Inſolencies of Papiſts in Ireland (where do publicly appear Archbiſhops and Biſhops reputed to be made ſo by the Pope, in oppoſition to thoſe made under his Majeſty's Authority, according to the Religion eſtabliſh'd in England and Ireland) and the open Exerciſe of Maſs in Dublin, and other Parts of that Kingdom, is further a great Cauſe of the preſent Growth of Popery. That Peter Talbot, the Reputed Archbiſhop of Dublin, was publicly Conſecrated ſo at Antwerp with great Solemnity; from whence he came to London, where he exercis'd his Function; and was all along in his Journey to Cheſter treated with the Character of his Grace by the Popiſh Recuſants whom he viſited: And at his landing at Dublin was receiv'd with very great Solemnity by thoſe of the Popiſh Religion there, where alſo he exercis'd his Function publicly, great Multitudes then flocking to him, and ſtill continue to do the ſame. His preſent Reſidence is within three Miles of Dublin, at his Brother's, Colonel Richard Talbot's, who is now here ſolliciting your Majeſty as public Agent on the Behalf of the Iriſh Papiſts of that Kingdom.

Remain

Remedies against these growing Mischiefs.

'We the Lords and Commons assembled in this present Parliament, do in all Humility represent unto your sacred Majesty in these our Petitions following; 1. That your Majesty by your Proclamation wou'd be most graciously pleas'd to Command, that all Popish Priests and Jesuits do depart this Realm, and all other your Majesty's Dominions, on or before a short Day to be prefix'd, at their Perils; except only such Foreign Priests as attend her Majesty's Person by the Contract of Marriage, and Ambassadors, according to the Law of Nations: And that all Judges, *&c.* do cause the Laws now in force against Popish Recusants Convict, to be put in due Execution: And in the first place, for the speedy convicting such Popish Recusants, that all Judges and Justices aforesaid do strictly give the said Laws in Charge unto the Juries at all Assizes and Sessions, under the Penalty of incurring your Majesty's highest Displeasure. 2. That your Majesty wou'd be pleas'd to restrain and hinder the great Concourse of your Native Subjects from hearing of Mass, and other Exercises of the Romish Religion, in the Houses of Foreign Ambassadors or Agents, and in all other Chapels and Places of this Kingdom. 3. That your Majesty wou'd be pleas'd to take care, and cause, That no Office or Employment of public Authority, Trust, or Command in Civil or Military Affairs, be committed to, or continu'd in the Hands of any Person being a Popish Recusant, or justly reputed to be. 4. That your Majesty wou'd be pleas'd to take notice of all Fraternities or Convents of English, and other Popish Priests, Jesuits or Fryars, and Schools for the Educating of Youth in the Principles of Popery, erected within your Majesty's Dominions, and to cause the same to be abolish'd, and the said Priests, Jesuits, Fryars and Schoolmasters to be duly punish'd for such their Insolencies. 5. That your Majesty wou'd be pleas'd from time to time to require and cause, that all the Officers of, or relating to the Exchequer, issue forth Processes effectually against Popish Recusants Convict certify'd thither. And that such Officers as shall refuse or neglect to do their Duty, as aforesaid, be severely punish'd for such their Failures. 6. That your Majesty wou'd be pleas'd to give Order for apprehending and bringing over into England one Pluncket, who goes under the Name of Primate of Ireland, and one Peter Talbot, who takes on him the Name of Archbishop of Dublin, to answer such Matters as shall be objected against them.'

'To these our most humble Petitions, proceeding from our Duty and Zeal for the Glory of God, and the Good of your Sacred Majesty, and from the Care incumbent on us for

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for the Safety and Peace of these your Majesty's Kingdoms, we do in all Humility beseech your Majesty to vouchsafe a Gracious Answer: And we your Majesty's most loyal and obedient Subjects, the Lords and Commons in the present Parliament assembled, shall ever pray for your Majesty's long and happy Reign over us; and (as in Conscience we are oblig'd) shall constantly adhere to, and assist your Majesty in the Maintenance and Defence of your Majesty's Supremacy, and the true Protestant Religion now establish'd in your Majesty's Kingdoms, in opposition to all Foreign Powers, and Popish Pretences whatsoever.'

When this Address was sent up to the Lords, they took some time to consider of it, as not being well satisfy'd with the Certainty of some Matters of Fact therein mention'd, as particularly the Chapels, Fraternities and Convents, and the Advancement of Peter Talbot; but, having afterwards in a Conference receiv'd Satisfaction, they join'd with the Commons, and together with them presented the Address to the King at the Banqueting-House in Whitehall. His Majesty made this most gracious Answer to them; 'My Lords and Gentlemen, I will take care of all these Things: I will cause a Proclamation to be issu'd out against the Priests; I will cause the Judges, and all other Officers to put the Laws against Papists in execution, and all other things that may conduce to the Prevention of the Growth of Popery. But I suppose no Man will wonder, if I make a difference between those that have newly chang'd their Religion, and those that were bred up in that Religion, and serv'd my Father and me faithfully in the late Wars.'

The King's Answer.

The Houses return'd their Thanks for this Answer, and the King accordingly issu'd out his Proclamation, which began after the Manner that most of his Proclamations did upon this Occasion. The Substance was, 'Whereas the Lords and Commons in Parliament assembled, have by their Petition presented to his Majesty their Fears and Apprehensions of the Growth of Popery, together with the Causes thereof, and also such Remedies as they conceive most proper to prevent such Mischiefs: Which Petition his Majesty having seriously consider'd, and with much Contentment approving the great care of the said Lords and Commons, for the Preservation of the true Religion established; to which his Majesty declares, as he hath always adhered against all Temptations whatsoever, so he will still employ his utmost Care and Zeal in the Maintenance and Defence of it. And therefore strictly commands all Jesuits and Romish Priests to depart out of England before the first of May, upon pain of having the Penalties of the Laws of this Realm inflicted upon them. And his Majesty commands all Judges, &c. forthwith to put the

His Proclamation against Papists.

Law

Laws in Execution againſt all Popiſh Recuſants, and ſuch as are ſuſpected to be ſo, in order to their ſpeedy Conviction, and due Proceſs upon ſuch Convictions. And becauſe there may be ſome Prieſts impriſon'd in this Realm, unknown to his Majeſty; all Sheriffs, &c. are within twenty Days to adverтiſe ſome of the Lords of the Privy-Council of their Names, and for what Cauſe they were committed, to the end Orders may be given for their Tranſportation.' Anno 25 Car. II. 1678.

After this the Houſe proceeded with all Vigour upon the King's Supplies, the Subſidy-Bill, the Exciſe-Bill, and the Law-Bill; to which Three they afterwards added a Fourth Bill for Impoſitions on foreign Commodities. But this Prodigality in giving, receiv'd a Check in the Houſe of Lords, by the celebrated Speech of the Lord Lucas (afterwards burnt by the Common Hangman,) which had ſuch an Effect, that the Lords added ſeveral Proviſos to the Subſidy-Bill: But the Commons refuſing to allow them, a Conference enſued between the two Houſes, in which they gave their Reaſons as follow. 'Firſt, the Privilege demanded was againſt the King, and againſt the Execution for his Supply, which ought not to be clogg'd with any unneceſſary Circumſtances; it being itſelf a *Non omittas propter aliquam Libertatem.* Secondly, the Privilege demanded is not due to their Lordſhips in point of Right, nor can it be inſiſted upon in point of Honour: 1. Becauſe there is as much Reverence paid to their Lordſhips Privileges in this Bill, as ever was paid in a Bill of Supply; there being a Proviſo, That the Taxes, to be collected for the Perſonal Eſtates and the Offices of the Peers, ſhall be collected by a Collector of their own. 2. The Amendments agreed to: 'That nothing therein contain'd ſhall be drawn into Example to the Privilege of the Ancient Rights belonging to the Peers:' So no Danger of any Ancient Right. 3. There Lordſhips are the beſt Judges of their own Honour; but in the Bill for the Royal Aid, there is the ſame Clauſe as in this Bill, yet their Lordſhips did not then think fit to add ſuch a Qualification to that Clauſe. 4. It is true the Commiſſioners were named in that Act: but that can make no Difference in the Caſe, unleſs their Lordſhips be afraid where the Nomination is truſted to the King. 5. It wou'd be a Diſhonour to your Lordſhips to have this Clauſe ſtand in the Bill: For it doth not concern the Tax upon Perſonal Eſtates or Offices, but ſuppoſes a Lord tax'd for his Land, and not a Hoof left upon the Land to diſtrain; and that, after all this, a Lord barricadoes up his Houſe to reſiſt a Diſtreſs: is it fit to ſuppoſe ſuch a Caſe, or ſhould it be treated with Ceremony when it happens? 6. If the Lord be return'd into the Exchequer, the meaneſt

The Commons Reaſons againſt it.

Anno 2 Car. II. 1670-71.

Bailiff of the Sheriff may break open the House of a Peer without more Ceremony; why should a Commissioner be appointed in this Case, unless all Exchequer-Process be intended to be debarr'd by this Clause too? 7. No Distress can be upon a Peer without a Warrant under the Hands of two Commissioners; which is Caution enough. 8. The Lords have no Privilege above the Commons as to Execution against their Estates; And, therefore, we hope this Occasion shall not be taken to create Precedents for new Privileges in Payment of Money. 9. It wou'd discourage Persons from being Commissioners, if they must be Officers to attend the Distress, and no Man will be willing to serve. 10. The Act of Printing leaveth the Lords and Commons, as to the Privileges of Houses; and no Bill of Money did ever distinguish them. 11. The whole Duty may be avoided; for, in truth, there lies no Obligation upon any Commissioner to go with any Officer, and so the Matter may be wholly neglected. 12. If a Distress be wrongful, why should a Lord have a better Man to bring his Action against, than a Commoner; and who will ever go to subject himself to the Action of a Peer, if he be displeas'd with the Distress?

However convincing these Reasons were, their Lordships acquiesc'd; so that this and other Bills being ready, on the 16th of March, the King came to the House of Peers, and pass'd these following public Bills: 1. An Act for granting a Subsidy to his Majesty for Supply of his Extraordinary Occasions. 2. An Act for an Additional Excise on Beer, Ale, and other Liquors. 3. An Act for Regulating the making of Kidderminster Stuffs. 4. An Act to prevent the malicious Burning of Houses, Stacks of Corn and Hay, Killing and Maiming of Cattle. 5. An Act to prevent malicious Maiming and Wounding. 6. An Act for Revesting the Power of granting Wine Licences in his Majesty's Heirs and Successors, and for settling a Revenue on his Royal Highness in lieu thereof; which amounted to twenty four thousand Pounds a Year. 7. An Act for Continuance of a former Act, entitled, An Act to prevent Delays in extending Statutes, Judgment and Recognizances. 8. An Act for continuing of a former Act, to prevent Arrests of Judgment, and Superseding Executions.

Some Acts pass'd.

But the Disputes between the two Houses did not end here. Two more Money-Bills remain'd to be pass'd, the one *for Impositions on Proceedings at Law*, and the other, for an *additional Imposition on several foreign Commodities*; Which the Merchants esteeming a Grievance, they petition'd the House of Lords for Relief, who thought their Reasons of such Weight, that they demanded a Conference with the Commons upon the Case in dispute; and this being comply'd with,

The great Controversy between the Lords and Commons concerning Money-Bills.

with a Committee from both Houſes were appointed, who met for the firſt time on April 19. The Earl of Anglesea was Speaker for the Lords, and Sir Heneage Finch, Attorney-General, for the Commons. The particulars of the Conference were as follows.

Anno 23 Car. II.

Second Conference between both Houſes, April 19. 1671, on the Bill for Impoſitions on Merchandize.

This Conference was deſired by their Lordſhips, upon the ſubject matter of their laſt Conference, concerning the Bill for Impoſitions on Merchandize, &c. wherein the Commons communicated it to the Lords as their Reſolution, that there is a fundamental Right in that Houſe alone in Bills of Rates and Impoſitions on Merchandize, as to the Matter, the Meaſure, and the Time.

And tho' their Lordſhips have neither Reaſon nor Precedent offered by the Commons, to back that Reſolution, but were told, that this was a Right ſo fundamentally ſetled in the Commons, that they could not give Reaſons for it; for that would be a weakening of the Commons Right and Privilege: yet the Lords in Parliament, upon full conſideration thereof and of that whole Conference, are come to this Reſolution, *Nemine contradicente*,

That the Power exerciſed in the Houſe of Peers, in making the Amendments and Abatements in the Bill entitled, An Act for an additional Impoſition on ſeveral foreign Commodities, and for Encouragement of ſeveral Commodities and Manufactures of this Kingdom, both as to Matter, Meaſure, and Time, concerning the Rates and Impoſitions on Merchandize, is a fundamental, inherent and undoubted Right of the Houſe of Peers, from which they cannot depart.

Reaſons of the Peers.

I. The great happineſs of the Government of this Kingdom, is, that nothing can be done in order to the Legiſlature, but what is conſidered by both Houſes, before the King's ſanction be given unto it; and the greateſt Security to all the Subjects of this Kingdom, is, that the Houſes, by their conſtitution, do not only give Aſſiſtance, but are mutual Checks to each other.

II. Conſult the Writs of Summons to Parliament, and you will find, that the Lords are not excluded from the great and arduous Affairs of the Kingdom; and the Commons of England are but called to treat and give their counſel upon them all, without exception.

III. We find no footſteps in Record or Hiſtory, for this new Claim of the Houſe of Commons; we would ſee that Charter or Contract produced, by which the Lords diveſted themſelves of this Right, and appropriated it to the Commons, with an excluſion of themſelves: till then, we cannot conſent to ſhake or remove Foundations, in laying whereof it will

Anno 23 Car. II. 1671.

not be denied, that the Lords and Grandees of the Kingdom had the greateſt Hand.

IV. If this Right ſhould be denied, the Lords have not a Negative Voice allowed them in Bills of this nature; for if the Lords, who have the Power of Treating, Adviſing, giving Counſel, and applying Remedies, cannot mend, abate, or refuſe a Bill in part, by what Conſequence of Reaſon can they enjoy a Liberty to reject the whole? When the Commons ſhall think fit to queſtion it, they may pretend the ſame grounds for it.

V. In any caſe of Judicature, which is undoubtedly, and indiſputably, the peculiar Right and Privilege of the Houſe of Lords, if their Lordſhips ſend down a Bill to the Commons, for giving Judgment in a legiſlative way, they allow and acknowledge the ſame Right in the Commons, to amend, change and alter ſuch Bills, as the Lords have exerciſed in this Bill of Impoſitions, ſent up by the Commons.

VI. By this new Maxim of the Houſe of Commons a hard and ignoble choice is left to the Lords either to refuſe the Crown Supplies, when they are moſt neceſſary, or to conſent to ways and proportions of Aid, which neither their own Judgment, or Intereſt, nor the Good of the Government and People, can admit.

VII. If a poſitive Aſſertion can introduce a Right, what ſecurity have the Lords, that the Houſe of Commons ſhall not in other Bills (pretended to be for the general good of the Commons, whereof they will conceive themſelves to be the fitteſt Judges,) claim the ſame peculiar Privilege, in excluſion of any deliberation, or alteration of the Lords, when they ſhall judge it neceſſary or expedient?

VIII. And whereas you ſay, this is the only poor thing which you can value yourſelves upon to the King; their Lordſhips have commanded us to tell you, that they deſire rather to increaſe, than any way diminiſh the Value and Eſteem of the Houſe of Commons, not only with his Majeſty, but with the whole Kingdom; but they cannot give way that it ſhould be raiſed by the undervaluing the Houſe of Peers, and an Endeavour to render that Houſe unuſeful to the King and Kingdom, by denying unto it thoſe juſt Powers which the Conſtitution of this Government, and the Laws of the Land, have lodged in it for the ſervice and benefit of both.

IX. You d'd, at the Conference, tell us, that we did agree to a Book of Rates, without ſo much as ſeeing it, and that never a Book of Rates was read in the Lords Houſe, and that the ſaid Book of Rates was ſigned by Mr. Harbottle Grimſtone, then Speaker of the Houſe of Commons, and not ſent up, leſt the Lords Speaker might ſign it too.

At

As for the Book of Rates, inſtanced by the Houſe of Commons, it was made in a way different from all former Books of Rates, and by an Aſſembly called without the King's Writ; and which wanted ſo much the Authority of Parliament, that the Act they made was no Act, till confirmed by this Parliament: tho' the work which happily ſucceeded in their Hands, for reſtoration of the ancient Government of this Kingdom, will ever be mentioned to their Honour; yet no meaſure for Parliamentary Proceedings is to be taken from this one Inſtance, to the prejudice of the Right of the Crown in making Books of Rates, and of the Lords, in having their due Conſideration thereof, when they ſhall be enacted in Parliament; which was ſo far from being according to former Uſage, that the Lords conſidering the neceſſity and condition of that Time, and there being no Complaint, paſſed that Bill upon three readings in one Day, without ſo much as a Committee, little imagining the forwardneſs of their Zeal to the King's Service in ſuch Times, would have created an Argument in the future againſt their Power. And if the Lords did never read Books of Rates in their Houſe, it is as true that the *Houſe of Commons* do not pretend, nor did ſhew that ever any was read there but this.

Tho' where a Right is ſo clear, and Reaſons ſo irrefragable, it is not to be required of thoſe who are poſſeſſed of the Right to give Precedents to confirm it, but thoſe who diſpute the Right ought to ſhew Precedents or Judgments to the contrary, not paſs it (*ſub ſilentio*) upon the Point controverted: yet the Lords have commanded us to offer, and leave with you theſe following Precedents.

1. By Records both ancient and modern, it doth appear, that the Lords and Commons have conſulted together, and conferr'd one with another on the Subject of a Supply to the King, and of the Manner how the ſame may be levied As, 14 Edw. 3. N. 5. *Apres grand treate et pleanes entre les Grants et les dits Chevaliers et autres des Communes Eſteans en dit Parl. eſt accorde et aſſentu per tous les Grants et Communes*, &c. That they grant to the King the 9th of Corn and Wool, 25 Edw. 3. N. 11. 11 Ed. 3. N. 18. Certain there named, from time to time, to confer with the Commons, for their better help in conſulting for the Raiſing of Money, and this ſometimes by the King's Command, as 22 Ed. 3. N. 3. Sometimes by Motion and Appointment of the Lords; as 5 Ed. 3. N. 8. And in the Caſe of the great Contract for Tenures and Purveyances, 7 Jac. 14. of Febr. 1609. Sometimes by the Deſire of the Commons; As 47 Ed. 3. N. and 4 R. 2. N. 10, 11, 12, 13, 14, 15. Upon a great Sum demanded for the King, the Commons come to the Lords, and deſire a Moderation of the Sum, and their Conſideration how it ſhould be

Anno 13 Car. II. 1671.

be levied; and hereupon was granted by Lords and Commons 12 l. of every Man, &c. It is obſervable that Nov. 13, it was ſaid, the Lords ſent for the Commons ſeveral Times before them, and propoſed to them the Manner of levying the Money, and afterwards it was given: And again, 6 Rich. II. N. 14. And in the Caſe of the great Contract before-mentioned, 7 Jac. 18. June, 1610. the Commons, at a Conference, deſire to know what Project their Lordſhips will propound for levying that which ſhall be given, other than upon Land. And afterwards, in another Conference, by the Commons anſwer was made to the Lords Propoſal, Agreed, that the Manner of levying it may be in the moſt eaſeful and contentful Way that, by both Houſes, can be deviſed. See the whole Proceedings of the intended Contract, which do, in ſeveral remarkable Inſtances, ſhew that the Houſe of Commons themſelves did allow the Houſe of Peers their Part, in treating and debating on the Subject of Money to be levied for his Majeſty.

2. That, in Aids and Subſidies, the Lords have anciently been expreſly joined with the Commons in the Gift: as in the firſt we can meet with in our Statutes; That in the body of Magna Charta, cap. 37. *The Archbiſhops, Biſhops, Abbots, Priors, Earls, Barons, Knights, Freeholders and other our Subjects, have given to us the 15th Part of all their Moveables:* Which muſt include Merchandize. This Style the ancient Grants of Subſidies and the modern ones too do retain (the troubleſome Time, of the War between the Houſes of York and Lancaſter only excepted;) and even then it was *(the Commons, by Advice and Conſent of the Lords, give and grant)* till the Beginning of King Charles the Firſt, by theſe Words, *We your Majeſty's loyal Subjects in Parliament aſſembled*, implicitly, or by the Words, *We the Lords Spiritual and Temporal and Commons in Parliament aſſembled*, expreſly, the *Lords* are joined in the Grant, as, by the Peruſal of the Statutes, will appear.

3. That, in Subſidies of this nature, *viz.* Cuſtoms, the Lords have joined with the Commons in the Grant of them; and that at the very Beginning of theſe Impoſitions, as when 30 s. upon every Sack of Wool (a home, native Commodity) was granted to Edw. I. in the third Year of his Reign, to him and his Heirs; the Grant is *Magnates, Prælati & tota Communitas conceſſerunt.* See Parl. Roll. 3 Ed. 1. M. 1. N. 1. And other ancient Rolls do alſo ſhew, that the Lords joined with the Commons in Gift of Money, as Cloſe Roll, 3 Ed. 1. M. 12. Endorſ. 3. Grant of a 15th, and Part Roll, 3 Ed. 1. M. 6.

4. And more particularly in Impoſitions of this very Species, *Tonnage and Poundage*: The Lords were ever, at the firſt

first beginning, joined with the Commons in the Grant, as the Parliament Roll, in 47 of Edw. 3. N. 10. The first Eſtabliſhment of it by Act doth declare, where 'tis expreſly ſaid, *The Lords and Commons do grant*. And this Style did continue in Acts of this nature till the end of Rich. II. After which, in thoſe troubleſome Times, the Style was various, till K. Hen. the VIIIth's Time, and this Style of Acts of *Tonnage and Poundage* was; *We the Commons, with the Advice and Conſent of the Lords Spiritual and Temporal, do give and grant.* This Form of Gift in *Tonnage and Poundage*, laſted Edw. VI. Queen Mary's, Queen Elizabeth's and King James's Time, as the Statutes themſelves do declare. Anno 23 Car. II. 1672.

5. And, to prove moſt undeniably, that the Lords have their Share, in the Gifts of Aids and Supplies to the King, ſee the Act of 9 Hen. IV. commonly called the *Indemnity of the Lords and Commons*; which provides, that the Lords ſhall commune apart by themſelves, and the Commons by themſelves. The latter End enacts expreſly, *That the King ſhall thank both Lords and Commons*, for Subſidies given him.

6. That the Lords may make Amendments and Alterations in Bills which grant *Tonnage and Poundage*, (the very queſtion now between us) appears in an eminent Book Caſe, 33 Hen. VI. Feb. 17. which was a Conſultation of all the Judges in England, and the Maſter of the Rolls, and the Clerk of the Parliament called in, to inform them as to the Manner of Proceedings of Bills in Parliament: Where it is ſaid, *That if the Commons grant Tonnage and Poundage to endure for four Years, and the Lords grant it but for two Years, it ſhall not be carried back to the Commons, becauſe it may ſtand with their Grant, but muſt be ſo enrolled.* And that the Lords have made Amendments and Alterations in the Bills, granting *Tonnage and Poundage*, appears by that Statute of the firſt of Edw. VI. and the firſt of Queen Elizabeth even in the very point now in diſpute, ſuch Amendments as do leſſen the Sum of the King, as the 1ſt of Hen. VIII.

The PROVISO *itſelf was read at the Conference.*

'We have ſeriouſly conſulted our Judgments and Reaſons to find Objections, if it were poſſible, againſt the Power of the Lords, and are ſo far from finding any, that we are fixed in Opinion, that the want of it would be deſtructive to the Government, and Peace of the Kingdom, and the Right of the Crown, in balancing and regulating of Trade, and making and preſerving Leagues and Treaties with foreign Princes and States; and the Exerciſe of it cannot but be for the Security of all, and for the Eaſe, benefit, and ſatisfaction of the Subject.

'Their

Anno 23 Car. II. 1671.

'Their Lordſhips are very far from deſigning to obſtruct this Gift, no not for a Moment of time, much leſs for ever, as was hinted to them at the laſt Conference: And therefore they deſire the *Houſe of Commons* to lay it to heart and conſider, if it ſhould ſo happen (which they heartily wiſh it may not) that there ſhould be an Obſtruction upon occaſion of this Difference at whoſe door it muſt lie; theirs, that aſſume to themſelves more than belongs to them, to the prejudice and diminution of the others Right; or theirs, that do only exerciſe that juſt and lawful Power, which, by the very Nature and conſtant Practice of Parliament is, and for many Ages hath been, veſted in both Houſes.

'Their Lordſhips had under Conſideration and Debate the deſiring a free Conference with your Houſe, upon the Reaſons of the Amendments in Difference between the Houſes; but when they found that you had interwoven your general Poſition with every Reaſon you had offered, as for your particulars, it ſeemed to them that your Judgments were prepoſſeſſed, and they hold it vain, and below the Wiſdom of Parliament, to reaſon or argue againſt fixed Reſolutions, and upon Terms of Impoſſibility to perſuade; and have therefore applied themſelves only to that Point, which yet remains an Impediment in the way of free and Parliamentary Debates and Conferences, which muſt neceſſarily be firſt removed, that ſo we may come to a free Conference upon the Bill itſelf, and part with a fair Correſpondence between the two Houſes.'

Third Conference.

This third Conference was the 22d of April, 1671. The Earl of Angleſey begun the Report of the Conference: Who ſaid,

That Mr. Attorney (Sir Heneage Finch) told them, that, becauſe the Matter is of moment, the Houſe of Commons have truſted none to give their Words but themſelves; and, therefore, have ordered it to be in Writing, which is as follows, viz.

The Senſe of the Commons.

'The Commons have deſired this Conference, to preſerve a good Correſpondence with the Houſe of Peers, and to prevent the ill Conſequences of thoſe Miſunderſtandings which may poſſibly interrupt the happy Concluſion of this Seſſion, and of all future Parliaments too, if they be not very ſpeedily removed: Wherein the Commons are not without Hopes of giving your Lordſhips full Satisfaction in the Point in queſtion, and that without ſhaking any Foundations; unleſs it be ſuch as no Man ſhould lay, much leſs build upon, the Foundation of a perpetual Diſſenſion between the two Houſes. Three things did ſurprize the Commons at a former Conference, concerning *the Bill for an additional Impoſition on ſeveral foreign Commodities*.

1. That where they expected a Diſcourſe upon ſome Amendments to that Bill, they met with nothing but a Debate of the Liberties of their Houſe, in the Matter, Meaſure and Time of Rates upon Merchandize, with a kind of Demand that thoſe Liberties might be deliver'd up to your Lordſhips, by our public Acknowledgments, before there ſhould be any farther Diſcourſe upon that Bill. Anno 1671.

2. That your Lordſhips ſhould declare ſo fixed and ſettled a Reſolution in this Point, before you had ſo much as heard what could be replied in Defence of the Commons.

3. And laſtly, That your Lordſhips ſhould be ſo eaſily induced to take this Reſolution, if there be not other Motives for it than thoſe Precedents and Reaſons, which your Lordſhips have been pleaſed to impart to us.

The Commons confeſs, that the beſt Rule for deciding of Queſtions of Right between both Houſes, is the Law and Uſage of Parliaments: and the beſt Evidence of that Uſage and Cuſtom of Parliaments, are the moſt frequent and authentic Precedents: Therefore the Commons will firſt examine the Precedents your Lordſhips ſeem to rely upon, then they will produce thoſe by which their Right is aſſerted; and in the laſt place, they will conſider the Reaſons upon which your Lordſhips ground yourſelves.

By the Nature of Precedents, which your Lordſhips produce, there is an evident Departure from the queſtion, as the former Conference left it: There the Doubt was narrowed to this ſingle Point, *viz.* Whether your Lordſhips would retrench or abate any Part of the Rates which the Commons had granted upon Merchandize; here the Precedents do go to a joint Power of impoſing and beginning of Taxes, which is a Point we have not yet heard your Lordſhips to pretend to, tho' this preſent Difference prepares way for it. Therefore either theſe prove too much, by proving a Power of impoſing, or they prove nothing at all, by not proving a Power of leſſening.

And yet they do not prove a Power of impoſing neither, for thoſe Words, (*the Lords and Commons grant*) muſt either be underſtood *reddendo ſingula ſingulis*; that is, the Lords grant for themſelves, and the Commons grant for Counties, Cities and Boroughs, whom they repreſent, or elſe the Word (*Grant*) muſt be underſtood only by the Lords Aſſent to what the Commons grant: becauſe the Form of Law requires, that both join in one Bill, to give it the Force of a Law.

This anſwers the Statute of *Magna Charta*, *cap.* 37. and thoſe few Inſtances where it is ſaid, *The Lords and Commons grant*, viz. 47 Ed. III. N. 10. 4 R. II. N. 10, 11, 12, 13, 14. 6 R. II. N. 14. But what Anſwer can be given to thoſe

Anno 29 Car. II. 1677.

ancient and modern Precedents and Acts where the Grant moves, and is acknowledged to come from the Commons alone, of which a multitude shall be herein after mentioned? The Case of the 14th of Ed. III. N. 5. *Apres Grand treete et pleance entre les Grantz et Chevaliers et Communs fuit assentu*, &c. is no Grant of the ninth Sheaf, as your Lordships cited it to be; but an Agreement, that the *Nones*, granted in a former Parliament, should now be sold, because the Money came not in fast enough. The 2nd of Ed. III. N. 5. which your Lordships cited to prove that the King did sometimes command the Lords to consult with the Commons about raising of Money, proves little of that; but it proves expresly, that the Commons granted three fifteenths; and as the Grant runs wholly in their Names, so the Record is full of many Reasons why they would grant no more, and upon what Conditions they granted so much. The' they seem to make a Shew in your Lordships Part, yet they prove two things of great Importance to the Commons.

1. That all Aids must begin with the Commons, else the Lords needed not to have conferred about the Aids, but might have sent down the Bill.

2. That when they are begun, the Lords can neither add nor diminish, else it was in vain to adjust the Matter by private Conference beforehand, if the Lords could have reformed it afterwards, which shews what little Service the Records of 29 Ed. III. N 11. 51 Ed. III. N. 18. can do your Lordships in the present Question. From the Time of Richard II. your Lordships came to the seventh of Jac. to tell us of the Treaties between the Lords and Commons, touching the Contract for *Tenures in Capite*; wherein the Lords being to be Purchasers, it was less subject to Objection, to confer both of the Method, and Manner how the Price agreed might be paid, for the Satisfaction of the King: But this Matter hath so little Affinity with the present Question of lessening Rates upon Merchandize given by the Commons, that nothing but a Scarcity of Precedents could ever have perswaded your Lordships to make use of this Instance.

As for the Precedent of 3 Ed. I. cited by your Lordships, the Commons have most reason to reply upon that Case. Your Lordships say, that in the beginning Impositions, when 40 s. upon a Sack of Wool was granted to Ed. I. and his Heirs, the Lords joined in the Grant; for the Words are, *Magnates, Prælati, & tota Communitas concesserunt*, wherein are these Mistakes.

1. That the Record was not a Grant of 40 s. upon a Sack of Wool, as your Lordships suppose, but a reducing of 40 s. upon a Sack, which Edw. I. took before *Magna Charta* was confirmed, to half a Mark, *viz.* 6 s. 8 d. *per* Sack; and it was

was at the Prayer of the Commons, as ſome Books ſay, and cite for it. 2 Ed. 1. M. 24. Anno 25 Ch. II. 1673.

2. That Record which your Lordſhips cite, is twice printed, once in the ſecond Part of the *Inſtitutes*, page 531. and again in the fourth Part of the *Inſtitutes*, page 29. And by both thoſe Places it is evident, that the *conceſſerunt* is only to be applied to the *vera Communitas*, and not to the *Magnates*; for this was a Grant only of the Commons, and not a Grant of the Lords: And to demonſtrate this beyond all poſſibility of Scruple, the printed Books do refer to Statute the 25th Ed. I. *cap.* 7. called *Confirmationes Chartæ*; wherein it is expreſly declared by Act of Parliament; for by the laſt Statute it appears, that the *male tote* of 40s. was again demanded by Edw. I. and was therefore now abrogated, ſaving to the King and his Heirs the Demy-Mark upon a Sack of Wool, granted by the Commonality, which is the very ſame Grant of the 3d Ed. I. cited by your Lordſhips in the preſent Queſtion: But this is alſo a convincing Evidence, that thoſe Words (the Lords and Commons grant) are Words of form, and made uſe of in ſuch Caſes, where the Grant did certainly proceed from the Commons alone. And, to clear this Precedent, we pray your Lordſhips to take notice of the Statute of the 2d and 3d of Ed. VI. cap. 36. where a Relief is given to the King by Parliament, and in the Title of the Act (as alſo in the Body of the Act) it is called all along, *the Grant of the Lords and Commons*; yet in the 3d and 4th of Ed. VI. cap. 23. this former Act is rejected, and there it is acknowledged to be only a Grant of the Commons.

And as for the Caſe of the 9th of Hen. IV. called, *the Indemnity of the Lords and Commons*, theſe Things are evidently proved by it

1. That it was a Grievance to the Commons, and a Breach of their Liberty, for the Lords to demand a Committee to confer with them about Aids.

2. That the Lords ought to conſider by themſelves apart.

3. That no Report ſhould be made to the King of what the Commons have granted and the Lords aſſented to, till the Matter be perfected; ſo that a plain Declaration is made, that the Commons grant, and the Lords aſſent.

4. That the Gift ought to be preſented by the Speaker of the Commons.

The Book-Caſe of 33 of Hen. VI. cap. 17. is the weakeſt of all, for the Words are *C. Si les Communs grant*, p. 4. *Ann. & Sannes*, 4. *ceo ſera reliver.*

1. Now, this was no Opinion of any Judge, but only of *Kirby, Clerk de Parliament.*

Anno 29 Car. II. 1677.

2. This was a Case, put by the by, and not pertinent to the Matter in hand.

3. 'Tis impossible to be Law, being against the constant Usage, and Practice of Parliament; for then your Lordships may not only lessen the Rates and Time, but you may chuse whether you will send us the Bill or no back again with Amendments, which was never heard of; and if that may be, why was it done so now?

4. That Clerk says your Lordships may increase Impositions too; which Part of the Case you thought not fit to cite, because you pretend not to it.

5. Brook, Parliament 7. puts a Query upon the Case, as it deserved; but if the Law-Books are to be heard in this Case, 30 Hen. VIII. *Dier.* 43. in *Judicial Authority*; where Subsidy is defined to be a Tax assess *per Parl. et gre al Roy per les Communs durant* VII. *de che Roy tanta per le Defines de Merchants sur le mere.*

The Provisos in the Bill, 1 Hen. VIII. which your Lordships seem mainly to rely upon, we conceive to be of no force at all, unless it be against your Lordships; for, as it appears by your Lordships Journals, the Case was this: The Bill itself did not pass the 3d Hen. VIII. and upon the 43d Day of the Parliament, the Lords assented to it; afterwards, upon the 45th Day, two Provisos came in, one touching the Merchants of the Staple of Calais; both were signed by the King and the Lord Chancellor; and the Bishop of Winton did declare, that the signing of those Proviso's by the King's own Hand was enough, without the Consent of either House: So that the Additions of those Provisos prove nothing for which your Lordships cited them, because,

1. They were signed by the King.

2. They were brought against the Course of Parliament, after the Bill passed.

3. The Provisos were nothing but a Saving of former Rights usually considered in former Acts of that nature.

4. Your Lordships Journals declare, that the King, without these Provisos, might have done the same thing by the Prerogative.

Only this may be fit to be observed by the way; that as the Bill was a Grant of the Commons alone, so the Thanks for the Bill were given to the Commons alone; and so it appears upon the Indorsement of that Record.

The Precedents for the Commons, which on the sudden we find (for we have had but few Hours to search) are all these following, *viz.*

11 Ed. I. *Walsingham*, 486. *Populus dedit Regi tricessimam partem Bonorum.*

25 Ed. I. *Walsingham*, 485. *Populus dedit decimam Nov.* Anno 25 Edw. I. 1297.

7 Hen. IV. *Walsingham*, 366. *Postquam Milites Parliamentales diu distulissent concedere Regi Subsidium, in fine tamen gratis concessere.*

6 Hen. IV. *Walsingham*. 364. *Subsidium denegatum fuit, proceribus renitentibus.* So hitherto when granted, the Commons give it; when denied, the whole Bill is rejected, never abated.

1 Ed. III. Stat. C. 6. The Commons griev'd, that when they granted an Aid and paid it, the Taxes were revived.

18 Ed. III. C. 1 Stat. at large, *The Commons grant two Fifteenths, the great Men grant nothing, but go in Person with the King.*

36 Ed. III. C. 11. The King, having regard to the Grant made by the Commons, for three Years, of Wool and Leather, grants, that no Aids be levied but by Conſent of Parliament.

21 R. II. N. 75. Is the firſt Grant of Tonnage and Poundage for Life, and it was given by the Commons alone.

2 Hen. VI. N. 14. The Commons grant Tonnage and Poundage for two Years.

31 Hen. VI. N. 7, 8, 9, 10. The Commons grant Tonnage and Poundage for Life.

8 Ed. IV. N. 30. The Commons grant two Tenths and two Fifteenths.

12 Ed. IV. C. 3. The Grant of Tonnage and Poundage for Life is recited to be by the Commons, and moſt of the Rates mentioned in the Bill.

The Wars of York and Lancaſter are ſo far from weakening theſe Precedents, that they ſtrengthen them rather; for no Man can think the Lords were then in leſs Power, or leſs careful of their Right than your Lordſhips are now: Wherefore, if in thoſe Days thoſe Forms were approved by thoſe mighty Men, it is a ſign the Right is clear.

1 Hen. VIII. The Commons by Aſſent of the Lords grant Tonnage.

15 Hen. VII. In Ireland was the firſt Grant of Tonnage and Poundage, but it is ſaid, *at the Prayer of the Commons it is enacted*; which in a Kingdom, where they are not tied to Forms, ſhews the clear Right.

We your poor Commons by Advice, &c. *grant*: And alſo it avers the Right, time out of mind to be in the Commons. This Stat. 1 Eliz. cap. 19. gives us occaſion to put your Lordſhips in mind of another Precedent, which appears in your Journal; for, while this Bill was paſſing, the Inhabitants of Cheſhire and Wales petitioned the Lords upon the ſecond Reading, that for as much as they were ſubject to pay the Queen a certain Duty called *Miſes*, that therefore they might be excuſed of the Subſidy, and abated their Part of it.

1 Ed. VI. cap. 13. 1 M. Cap. 8. 1 Eliz. cap. 19.

The

Anno 2 Car. II. 1691.

The Lords, who then knew they had no Power to diminish any Part of the Aid granted by the Commons, did therefore addreſs themſelves to the Queen in their behalf. The Queen commanded an Entry to be made in the Journal of the Houſe of Lords, That ſhe was pleaſed the Cheſhire-men and Welſh-men ſhould be reſpited the *Arrears* when they pay Subſidies, and reſpited the Subſidies when they pay *Arrears*. Which as it is a ſtrong Proof that the Commons alone grant, ſo no body can diminiſh their Grant, elſe what need had the Lords to apply themſelves to the Queen for it?

17 Car. I. Tonnage and Poundage was granted once for a Month, then again for three Months, but ſtill the Grant was by the Commons in thoſe Days, how tumultuous ſoever; the Commons did not riſe againſt the Lords, they agreed well enough.

In ſhort, all theſe Grants were of the Commons, yet none of theſe Bills were ever varied by your Lordſhips, or your Predeceſſors, which, if there had been ſuch a Right, would ſome time or other have been exerciſed, tho' in very ſmall Values, purpoſely to preſerve that Right.

Thus an uninterrupted Poſſeſſion of this Privilege ever ſince the 9th of Hen. IV. confirmed by a Multitude of Precedents both before and after, not ſhaken theſe 300 Years, is now required to be delivered up, or an end to be put to all farther Diſcourſe; which Opinion, if it be adhered to, is, as much as in your Lordſhips lies, to put an end to all future Tranſactions between the Houſes in Matters of Money, which we pray your Lordſhips to conſider.

The Reaſons offered by the Houſe of Commons, are theſe:

Reaſons offer'd by the Commons.

1ſt. Becauſe there appears not to the Commons any colour, from the Precedents cited by your Lordſhips, why your Opinion ſhould be ſo fixed in this point, we ſuppoſe the main Defence is in the Reaſons that have been given for it.

That Paper begins with an obſervation, that your Lordſhips have neither Reaſon nor Precedent offered by the Commons to back their Reſolution, and yet concludes with an anſwer to a Precedent then cited by the Houſe of Commons, *viz.* The Act of Tonnage and Poundage, now in force; and if your Lordſhips had but one Precedent then, you have now a great Number beſide; of theſe, 3 Ed. I. 1 Hen. VIII. 9 Hen. IV. and divers others your Lordſhips furniſhed us with.

Before the Commons anſwer to your Lordſhips Reaſons in particular, they deſire to ſay firſt in general, that it is a very unſafe thing in any [illegible] Government, to argue the Reaſons of the fundamental Conſtitutions; for that can tend to nothing that is profitable for the whole.

And this will more ſenſibly appear to your Lordſhips, if the Grounds and Foundations of Judicature be examined; for there are ſeveral Precedents in Parliament, and ſome in Book Caſes, which prove, that Judicature is not to be exerciſed by all the Lords, but only by ſuch as the King is pleaſed to appoint; ſo is the Book Caſe of 22 Ed. III. N. 3. A. B. And ſo in Parliament Roll, 25 Ed. III. N. 4. Several other Precedents, where the Commons, by the King's good Pleaſure, have been let into a ſhare of the very Judicature, are 42 Ed. III. N. 20, 21. 31 H. VI. N. 10. 8 of Ed. IV. Hugh Price's Caſe in the Rolls of Parliament. Anno 23 Car. II. 1671.

N.B. Some Precedents there are, where it was aſſigned for Error in the Houſe of Peers, that the Lords gave Judgment without Petition, or Aſſent of the Commons; ſo is 2 H. V. N. 13.

Would your Lordſhips think it ſafe, that a Diſpute ſhould now be made of the very Rights of Judicature becauſe we have ſuch Precedents?

If Uſage for ſo long a time hath ſilenced all diſputes touching your Lordſhips Judicature, ſhall that Uſage be of no Force to preſerve the Privilege of the Commons from all farther Queſtions?

Alſo there is a Precedent of an Act of Parliament paſſed by the King and Commons alone, without the Lords, *viz.* 1 Ed. VI. 65. and that twice approved, *viz.* 1 Eliz. cap. 17. and the 5th of Eliz. cap. 19. which both allow and commend this Act.

Shall we therefore argue the Foundations of the Legiſlature, becauſe we have ſuch Precedents? But to come to particulars; your Lordſhips firſt Reaſon is from the Happineſs of the Conſtitution, That the two Houſes are mutual Checks upon each other.

Anſwer So they are ſtill, for your Lordſhips have a Negative to the whole; but, on the other ſide, it would be a double Check on his Majeſty's Affairs, if the King may not rely upon the *Quantum*, when once his People have given it; therefore the Privilege, now contended for by your Lordſhips, is not of uſe to the Crown, but much the contrary.

2. Your Lordſhips Reaſon, drawn from the Writ of Summons, is as little concluding; for though the Writ does not exclude you from any Affairs, yet it is only, *de quibuſdam arduis negotiis*, and muſt be underſtood of ſuch as by Courſe of Parliament are proper, elſe the Commons upon the like Ground may entitle themſelves to Judicature, for they are alſo called to treat *de quibuſdam arduis*.

3. Your Lordſhips alſo proceed to demand, where that Record or Contract in Parliament is to be found, where the Lords appropriate this Right to the Commons in excluſion of themſelves?

Anſwer,

Anno 13 Car. II. 1661.

Answer. To this rhetorical Queſtion the Commons pray they may anſwer by another Queſtion; where is that Record or Contract, by which the Commons ſubmitted, that Judicature ſhould be appropriated to the Lords, in excluſion to themſelves? Where-ever your Lordſhips find the laſt Record, they will ſhew the firſt endorſed upon the Back of the ſame Roll.

Truth is, Precedents there are, where both ſides do exerciſe their ſeveral Rights, but not how either ſide came by them.

4. If the Lords may deny the whole, why not a part? elſe the Commons may pretend at laſt againſt the Lords Negative Voice.

Anſwer. The King muſt deny the whole of every Bill, or paſs it; yet this takes not away his Negative Voice. The Lords and Commons muſt accept the whole general Pardon, or deny it, yet this takes not away their Negative.

The Clergy have a Right to tax themſelves, and it is a part of the Privilege of their Eſtate; doth the upper Convocation-Houſe alter what the lower grants; or do the Lords ever abate any part of their Gifts? Yet they have a Power to reject the whole. But if Abatement ſhould be made, it would inſenſibly go to a raiſing, and deprive the Clergy of their ancient Rights to tax themſelves.

5. Your Lordſhips ſay, Judicature is undoubtedly ours; yet in Bills of Judicature, we allow the Commons to amend and alter, why ſhould not the Commons allow us the ſame Privilege in Bills of Money?

Anſwer. If Contracts were now to be made for Privileges, the Offer might ſeem fair, but yet the Commons ſhould profit little by it; for your Lordſhips do now induſtriouſly avoid all Bills of that nature, and chuſe to do many things by your own Power, which ought to be done by the Legiſlative; of which we forbear the Inſtances, becauſe your Lordſhips, we hope, will reform them; and we deſire not to create new differences, but to compoſe the old.

6. Your Lordſhips ſay, you are put to an ignoble Choice, either to refuſe the King's Supplies when they are moſt neceſſary, or to conſent to ſuch Ways or Propoſitions, which neither your own Judgment, nor the Good of the Government or People can admit.

Anſwer. We pray your Lordſhips to obſerve, that this Reaſon firſt makes your Lordſhips Judgments to be the meaſure of the Welfare of the Commons of England.

adly. It gives you Power to raiſe and increaſe Taxes, as well as to abate; for it may be ſometimes your Lordſhips Judgments, that it is for the Intereſt of Trade to raiſe and increaſe a Rate, and then ſtill you are brought to the ſame ignoble Choice, unleſs you may raiſe the Tax.

But

But it is a very ignoble Choice put upon the King and his People, that either his Majesty must demand, and the Commons give so small an Aid as can never be diminished, or else run the hazard of your Lordships Examination of the Rates, whose Proportion in all Taxes, in comparison to what the Commonalty pay, is very inconsiderable. Anno 1678.

7. If positive Assertions can introduce Right, the Lords have no Security, but the Commons may extend their Rights as they judge it necessary or expedient.

Answer. We hope no Assertions or Denials, though never so positive, shall give or take away Right; but we rely upon usage on our side, and non-usage on your Lordships part, as the best evidence, by which your Lordships or we can claim any Privilege.

8. Your Lordships profess a desire, to raise our esteem with his Majesty and the whole Kingdom, but not by the undervaluation of the House of Peers.

Answer. We have a great Confidence in his Majesty's Goodness, that nothing can lessen his Esteem of our dutiful Affections to him; and we hope we deserve so well of our Country, by our deportment towards his Majesty, that we shall not need your Lordships recommendations to any, who wish well to his Majesty, or the present Government; but we are so far from wishing to raise an Esteem by any diminution of your Lordships Honour, or Privileges, that there never was any House of Commons, who ever had a more just and true Respect for that noble Constitution of a House of Peers; of which your Lordships have had frequent Instances, by our consenting to several Clauses in Bills for securing and improving your Lordships Privileges.

We are sorry to see your Lordships undervalue the Precedent of this last Act of Tonnage and Poundage, because if it were an Act of the last Convention, 'twas confirmed in this.

And because the Right of the Commons, there asserted, was pursuant to a former Precedent in 1642, and possibly had not passed so, if the younger Members of that Convention had not learned from some of those great and noble Lords, who now manage the Conference for your Lordships, and were then Commoners, that this was the undoubted Right of the Commons.

To conclude; The Commons have examined themselves and their Proceedings, and find no cause why your Lordships should put them in mind of that Modesty their Ancestors shewed, who always paid a great deference to the Wisdom of the Lords; for they resolve ever to observe the Modesty of their Ancestors, and doubt not but your Lordships will also follow the Wisdom of yours.

Anno 23 Car. II. 1671.

To these the Lords proceeded to make some replies; and particularly, as to their having no Power to alter the Subsidies of the Clergy, nor an Act for a general Pardon; they said, these were things eccentric to Parliaments, and had their Motion in another Sphere: The Convocation gave one, and the King of his free Grace bestowed the other; and the Parliament only gave them the force of Law, and might chuse whether they would do it or not; and consequently this was no ways to the case in dispute. But to read the Commons Money-Bill three times in their House, and to commit it, without any Power of debating upon it, was a solemn piece of Pageantry, beneath the Dignity of a Parliament. As to the point of Judicature, they alledged, it belonged to the Peers before the very being of a House of Commons, rather as the grand Council of the Nation, than as part of the Parliament; and being vested in the King, as well as themselves, might possibly exist without the sitting of a Parliament. As to Precedents they alledged, we have several for us; but it were enough for our Justification, if there be none against us; and there could be but one of these kinds, either that we have of ourselves disclaimed such a Power, or that it hath been denied them when they have claimed it; and whosoever sheweth one of either, *Erit vobis magnus Apollo.*

But before they could finish their Arguments, or put any period to this great Controversy, on the 22d of April, his Majesty, who had been used to cut those Knots that were not easily unty'd, came to the House of Peers, in order to a Prorogation. But before that, the two Houses found so much time as to present his Majesty with an Address, 'That his Majesty wou'd be graciously pleas'd, by his own Example, to encourage the constant wearing of the Manufactures of his own Kingdom and Dominions, and discountenance the Wear of any Manufactures made in foreign Countries.' His Majesty very graciously accepted their humble Motion, and was pleas'd to declare, 'That he willingly comply'd with their 'Desires therein; and did assure them, that as he had already 'put it in practice in his own Person, so he wou'd for the 'future take care, that it shou'd be observed by himself, 'and those of his Family.' After which he gave his Royal Assent to the several Bills that were presented to him, fourteen private Acts, and eighteen public; of which last were, 1. *An Act to prevent the Delivery up of Merchant Ships, and for the Increase of good and serviceable Shipping.* 2. *An Act for exporting of Beer, Ale, and Mum.* 3. *An Act for laying Impositions on Proceedings at Law.* 4. *An Act for the better settling of Intestate Estates.* 5. *An Act for determining of Differences touching Houses burnt within four Years since the late dreadful Fire of London.* 6. *An additional Act for ascertaining the Measures*

The Commons Address.

The King's Answer.

He passes several Acts.

ſures of Corn and Salt. 7. *An Act for the more certain Recovery of Fines and Forfeitures due to his Majeſty.* 8. *An Act for the better paving and clearing the Streets and Sewers in and about London.* 9. *An Act for the Relief and Releaſe of poor Priſoners for Debt.* 10. *An Act for the Diſcovery of ſuch as have defrauded the Poor of London of the Moneys given them at the Times of the late Plague and Fire.* 11. *An Act for the better regulating of Work-Houſes, for ſetting the Poor on work.* 12. *An Act for the better Settlement of the Maintenance of the Parſons, Vicars and Curates in the Pariſhes of London, burnt by the late dreadful Fire.* 13. *An Act for veſting certain Fee-Farm Rents, and other ſmall Rents, in Truſtees.* 14. *An Act to prevent Frauds in the buying and ſelling Cattle in Smithfield and elſewhere.* 15. *An Act for the better preſervation of the Game, and for ſecuring Warrens not enclos'd, and the ſeveral Fiſhings of the Realm.* 16. *An Act for the taking Accounts of ſixty thouſand Pounds, and other Moneys, given to the loyal, indigent Officers.* 17. *An Act to prevent the planting Tobacco in England, and for regulating the Plantation Trade.* 18. *An Act to revive a former Act, entitled, An Act to prevent the Diſturbances of Seamen and others, and to preſerve the Stores belonging to his Majeſty's Royal Navy.* Upon paſſing theſe Acts, his Majeſty without any Speech, prorogu'd the Parliament. Anno 25 Car. II. 1673.

On the fourth Day of February, both Houſes met according to Prorogation, and Sir Edward Turner, the laſt Speaker of the Houſe of Commons, having been made Lord-Chief-Baron of the Exchequer, the firſt thing they did was the Choice of a new Speaker; to this end Sir Job Charleton Serjeant at Law was recommended to them, and unanimouſly elected. Who, being preſented to the King, deſir'd to be excus'd from ſo difficult and weighty a Concern; but the Lord Chancellor Shaftesbury in another Speech to him, let him know that no Excuſes wou'd be admitted, and particularly ſaid in the preſence of the King and both Houſes, 'The Conjuncture of Time, and the King's and Kingdom's Affairs require ſuch a Houſe of Commons, ſuch a Speaker; for with Reverence to the Holy Scripture, the King may upon this Occaſion ſay, He that is not with me, is againſt me: For he that doth not now put his Hand and Heart to ſupport the King in the common Cauſe of this Kingdom, can hardly ever hope for ſuch another Opportunity, or find a time to make Satisfaction for the Omiſſion of this.' The eleventh Seſſion of the Second Parliament. Sir Job Charleton the new Speaker.

Immediately after, his Majeſty from the Throne made this following Speech to both Houſes of Parliament:

'My Lords and Gentlemen,

'I Am glad to ſee you here this Day; I would have called you together ſooner, but that I was willing to 'eaſe The King's Speech to both Houſes.

Anno 25 Car. II. 1673-3.

ease you and the Country, till there was an absolute Ne-
ceſſity. Since you were laſt here, I have been forc'd to a
moſt important, neceſſary and expenſive War; and I make
no doubt but you will give me ſuitable and effectual As-
ſiſtance to go through with it. I refer you to my Decla-
ration for the Cauſes, and indeed the Neceſſity of this War;
and ſhall now only tell you, that I might have digeſted
the Indignities to my own Perſon, rather than have brought
it to this Extremity, if the Intereſt, as well as the Honour
of the whole Kingdom had not been at ſtake; And if I
had omitted this Conjuncture, perhaps I had not again
ever met with the like Advantage. You will find the laſt
Supply you gave me did not anſwer the Expectation for
the End you gave it, the Payment of my Debts. There-
fore I muſt in the next place recommend them again to
your eſpecial Care.

'Some few Days before I declared the War, I put
forth my Declaration for Indulgence to Diſſenters, and
have hitherto found a good Effect of it, by ſecuring Peace
at home, when I had War abroad. There is one Part in
it that hath been ſubject to Miſconſtruction, which is that
concerning the Papiſts; as if more Liberty were granted
to them, than to the other Recuſants; when it is plain
there is leſs: For the others have public Places allow'd
them, and I never intended that they ſhou'd have any,
but only have the Freedom of their Religion in their own
Houſes, without any Concourſe of others. And I cou'd
not grant them leſs than this, when I had extended ſo
much more Grace to others, moſt of them having been
Loyal, and in the Service of me, and of the King my
Father; and in the whole Courſe of this Indulgence, I do
not intend that it ſhall any way prejudice the Church, but
I will ſupport it in its Rights, and in its full Power. Having
ſaid this, I ſhall take it very ill to receive Contradiction
in what I have done. And I will deal plainly with you,
I am reſolv'd to ſtick to my Declaration. There is one
Jealouſy more that is maliciouſly ſpread abroad, and yet
ſo weak and frivolous, that I once thought it not of mo-
ment enough to mention; but it may have gotten ſome
ground with ſome well-minded People, and that is, that
the Forces I have rais'd in this War were deſign'd to
controll Law and Property: I wiſh I had had more Forces
laſt Summer, the want of them then convinces me I muſt
raiſe more againſt the next Spring; and I do not doubt
but you will conſider the Charge of them in your Supplies.
I will conclude with this Aſſurance to you, that I will pre-
ſerve the true Reformed Proteſtant Religion, and the
Church as it is now eſtabliſh'd in this Kingdom; and that

no

no Man's Property or Liberty ſhall ever be invaded. I leave the reſt to the Lord Chancellor.

1 Anne. Sess. II. 1702-3.

The Lord Chancellor Shaftsbury's Speech.

Who ſpoke as follows: 'My Lords, and you Knights, Citizens and Burgeſſes of the Houſe of Commons, the King hath ſpoken ſo fully, ſo excellently well, and ſo like himſelf, that you are not to expect much from me. There is not a Word in his Speech that hath not its full Weight: And, I dare with Aſſurance ſay, will have its Effect with you. His Majeſty had called you ſooner, and his Affairs required it, but that he was reſolv'd to give you all the Eaſe, and Vacancy to your own private Concerns; and the People as much Reſpite from Payments and Taxes, as the Neceſſity of his Buſineſs, or their Preſervation wou'd permit. And yet (which I cannot but here mention to you) by the crafty Inſinuations of ſome ill-affected Perſons, there have been ſpread ſtrange and deſperate Rumours, which your meeting together this Day hath ſufficiently prov'd both malicious, and falſe. His Majeſty hath told you, that he is now engag'd in an important, very expenſive, and indeed a War abſolutely neceſſary, and unavoidable. He hath refer'd you to his Declaration, where you will find the perſonal Indignities by Pictures, and Medals, and other public Affronts, his Majeſty hath receiv'd from the States, their Breach of Treaties both in the Surinam, and the Eaſt-India Buſineſs: And at laſt they came to that height of Inſolence, as to deny the Honour and Right of the Flag, tho' an undoubted Jewel of this Crown, never to be parted with, and by them particularly own'd in the late Treaty of Breda, and never conteſted in any Age. And whilſt the King long expected, and then ſolemnly demanded Satisfaction, they diſputed his Title to it in all the Courts of Chriſtendom, and made great Offers to the French King, if he wou'd ſtand by them againſt us. But the moſt Chriſtian King too well remember'd what they did at Munſter, contrary to ſo many Treaties, and ſolemn Engagements, and how dangerous a Neighbour they were to all Crowned Heads. The King and his Miniſters had here a hard Time, and lay every day under new Obloquies. Sometimes they were repreſented as ſelling all to France for Money, to make this War: Portſmouth, Plymouth and Hull, were to be given into the French Hands for Caution. The next Day's News came, that France and Holland were agreed. Then the Obloquy was turn'd from Treachery to Folly: The Miniſters were now Fools, that ſome days before were Villains. And indeed the Coffee-Houſes were not to be blam'd for their laſt Apprehenſions; ſince if that Conjunction had taken effect, then England had been in a far worſe Caſe than now it is, and the War had

Anno 23 Car. II. 1671.

had been turn'd upon us. But both Kings knowing their Interest, reſolv'd to join againſt them, who were the common Enemies to all Monarchies, and I may ſay eſpecially to ours, their only Competitor for Trade and Power at Sea; and who only ſtand in their way to an Univerſal Empire, as great as Rome. This the States underſtood ſo well, and had ſwallow'd ſo deep, that, under all their preſent Diſtreſs and Danger, they are ſo intoxicated with that vaſt Ambition, that they ſlight a Treaty, and refuſe a Ceſſation. All which you and the whole Nation ſaw before the laſt War; but it cou'd not then be ſo well timed, or our Alliances ſo well made. But you judg'd aright, That at any rate, *Delenda eſt Carthago*, that Government was to be brought down. And therefore the King may well ſay to you, It is your War! He took his Meaſures from you, and they were juſt and right ones: And he expects a ſuitable Aſſiſtance to ſo neceſſary and expenſive an Action; which he has hitherto maintain'd at his own Charge, and was unwilling either to trouble you, or burden the Country, until it came to an inevitable Neceſſity. And his Majeſty commands me to tell you, that unleſs it be a certain Sum, and ſpeedily rais'd, it can never anſwer the Occaſion.

'My Lords and Gentlemen, Reputation is the great Support of War or Peace. This War had never begun, nor had the States ever ſlighted the King, or ever refuſed him the Satisfaction, neither had this War continu'd to this day, or ſubſiſted now, but that the States were deceiv'd in their Meaſures, and apprehended that his Majeſty, in that great want of Money, muſt ſit down under many Affronts, and was not able to begin or carry on a War. Nay, at this day the States ſupport themſelves amongſt their People by this only Falſhood, *that they are aſſured of the Temper of England, and of the Parliament, and that you will not ſupply the King in this War; and that if they can hold out till your Meeting, they will have new Life, and take new Meaſures.* There are lately taken two of their principal Agents, with their Credentials and Inſtructions to this purpoſe, who are now in the Tower, and ſhall be proceeded againſt according to the Law of Nations. But the King is ſufficiently aſſured of his People; knows you better; and can never doubt his Parliament. This had not been mention'd, but to ſhew you of what Importance the Frankneſs, and Seaſonableneſs of this Supply is, as well as the Fulneſs of it. Let me ſay, the King has brought the States to that Condition, that your hearty Conjunction, at this Time, in ſupplying his Majeſty, will make them never more formidable to Kings, or dangerous to England. And if after this you ſuffer them to get up, let this be remember'd, *The States of Holland are England's eternal Enemy, both by Intereſt, and Inclination.* In the next place,

place, to the Supply for carrying on the War, his Majesty recommends to you the taking care of his Debts. What you gave the last Session did not near answer your own Expectation. Besides, another considerable Aid you design'd his Majesty, was unfortunately lost in the Birth; so that the King was forc'd, for the carrying on his Affairs, much against his Will, to put a stop to the Payments out of the Exchequer. He saw the Pressures upon himself, and growing Inconveniencies to his People by great Interest; and the Difference, through all his Business, between ready Money, and Orders. This gave the King the Necessity of that Proceeding; to make use of his own Revenue, which hath been of so great Effect in this War. But tho' he hath put a Stop to the Trade and Gain of the Bankers, yet he would be unwilling to ruin them, and oppress so many Families as are concern'd in those Debts: Besides, it were too disproportionable a Burden upon many of his good Subjects. But neither the Bankers, nor They, have reason to complain, if you now take them into your Care, and they have paid them what was due to them, when the Stop was made, with Six *per Cent.* Interest from that Time. The King is very much concern'd both in Honour and Interest, to see this done. And yet he desires you not to mis-time it; but that it may have only the second Place, and that you will first settle, what you intend about the Supply. Anno 2 Car. II. 1678.

'His Majesty has so fully vindicated his Declaration from that Calumny concerning the Papists, that no reasonable Scruple can be made by any good Man. He has sufficiently justify'd it by the Time it was publish'd in, and the Effects he hath had from it; and might have done it more from the Agreeableness of it, to his own natural Disposition, which no good English-Man can wish other than it is. He loves not Blood, or rigorous Severities; but where mild or gentle Ways may be used by a wise Prince, he is certain to chuse them. The Church of England, and all good Protestants have reason to rejoice in such a Head, and such a Defender. His Majesty doth declare his Care, and Concerns for the Church, and will maintain them in all their Rights and Privileges, equal, if not beyond any of his Predecessors. He was born, and bred up in it: It was that his Father died for: We all know how great Temptations and Offers he resisted abroad, when he was in his lowest Condition; and he thinks it the Honour of his Reign, *That he hath been the Restorer of the Church*: 'Tis That he will ever maintain, and hopes to leave to Posterity, in greater Lustre, and upon surer Grounds, than our Ancestors ever saw it. But his Majesty is not convinc'd that violent Ways are the Interest of Religion, or the Church. There is one Thing more, that I am com-

Anne 2 Car. II. 1670-1.

commanded to speak to you of, which is the Jealousy that hath been foolishly spread abroad, of the Forces the King hath rais'd in this War. Wherein the King hath open'd himself freely to you, and confess'd the Fault of the other hand. For, if this last Summer had not prov'd a Miracle of Storms and Tempests, such as secured the East-India Fleet, and protected their Sea Coast from a Descent, nothing but the true Reason, *Want of Money*, could have justify'd the Defect in the Number of our Forces. 'Tis that his Majesty is providing for against the next Spring, having given out Orders for raising of seven or eight Regiments more of Foot, under the Command of Persons of the greatest Fortunes and Quality. And I am earnestly to recommend to you, That, in your Supplies, you will take into your Consideration this *Necessary Addition of Charges.*

The Conclusion of it.

'And after his Majesty's Conclusion of his Speech, let me conclude, nay let us all conclude with blessing God, and the King: Let us bless God, That he hath given us such a King to be the Repairer of our Breaches both in Church and State; and the *Restorer of our Paths to dwell in*: That in the midst of War and Misery, which rages in our neighbour Countries, *our Garners are full, and there is no Complaining in our Streets*; and a Man can hardly know that there is a War. Let us bless God, that he hath given this King signally the Hearts of his People, and most particularly of his Parliament, who in their Affection and Loyalty to their Prince, have exceeded all their Predecessors. A Parliament with whom the King hath many Years liv'd with all the Caresses of a happy Marriage. Has the King had a Concern? You have wedded it. Has his Majesty wanted Supplies? You have readily, chearfully, and fully provided for them. You have rely'd upon the Wisdom and Conduct of his Majesty in all his Affairs; so that you have never attempted to exceed your Bounds, or to impose upon him. Whilst the King, on the other hand, hath made your Counsels the Foundations of all his Proceedings; and hath been so tender of you, that he hath, upon his own Revenue and Credit, endeavoured to support even foreign Wars, that he might be least uneasy to you, or burdensome to his People. And let me say, That tho' this Marriage be according to Moses's Law, where the Husband can give a Bill of Divorce, put her away, and take another; yet I can assure you, it is as impossible for the King to part with *This Parliament*, as it is for you to depart from that *Loyalty, Affection and Dutiful Behaviour*, you have hitherto shewn towards him. Let us bless the King for taking away all our Fears, and leaving no room for Jealousies; for those Assurances, and Promises he hath made us. Let us bless God and the King, that our Religion

Religion is ſafe; That the Church of England is the Care of our Prince; That Parliaments are ſafe; that our Properties and Liberties are ſafe. What more hath a good Engliſh Man to ask, *but that this King may long reign, and that this Triple Alliance of King, Parliament and People, may never be diſſolv'd?* Anno 25 Car. II. 1673.

Neither this Speech, nor the Chancellor who deliver'd it, were then agreeable to the Houſe: He having iſſued out Writs under the Broad-Seal, for filling up ſuch Vacancies as had happen'd in the Houſe ſince the laſt Seſſion, which they look'd upon as injurious to their Privileges, and warmly complained of, even before their own Speaker was approv'd of: Which occaſion'd his Majeſty, immediately after the two Speeches, to declare to them, 'That he had given Order to 'the Lord Chancellor to ſend out Writs for the better Sup-'ply of their Houſe, having ſeen Precedents for it: But if 'any Scruple or Queſtion did ariſe about it, he left it to the 'Houſe to debate as ſoon as they could.' Accordingly, the very next Day the Commons, after warm and angry Debates concerning thoſe Writs and Returns, voted them irregular, and expell'd thoſe Members ſo elected; notwithſtanding which, taking into Conſideration his Majeſty's extraordinary Occaſions, they freely reſolv'd, 'That a Supply be given 'of eighteen Months Aſſeſſment, according to the Proportion 'of the laſt royal Aid, not exceeding ſeventy thouſand Pounds *per Menſem*;' which, in all, amounted to twelve hundred and ſixty thouſand Pounds. After this, Feb. 10. the King's Declaration of Indulgence, having been firſt read in the Houſe, they reſolv'd, That penal Statutes in Matters Eccleſiaſtical cannot be ſuſpended but by Act of Parliament. And on the 15th, Sir Job Charleton the new Speaker having pleaded an Indiſpoſition to excuſe his Attendance, the Houſe, notwithſtanding the preſſing Affairs then before them, adjourn'd to the 18th. When the Speaker's Diſorder ſtill continuing, and the King having ſignified his Permiſſion, by Mr. Secretary Coventry, that a new Speaker ſhould be appointed, Mr. Edward Seymour was unanimouſly choſen in his room. Then, being determin'd that Redreſs of Grievances ſhould accompany the Money-Bill, on the 19th, they preſented the following Addreſs to his Majeſty, at the Banquetting-Houſe: 'Moſt Gracious Sovereign, We your 'Majeſty's moſt faithful and loyal Subjects, the Commons 'aſſembled in Parliament, do in the firſt Place, as in all 'Duty bound, return your Majeſty our moſt humble and 'hearty Thanks for the many gracious Promiſes and Aſſuran-'ces, which your Majeſty hath ſeveral Times (during this 'preſent Parliament) given unto us, That your Majeſty would 'ſecure and maintain unto us the true Reformed Proteſtant

Members return'd by Crown-Writs, expell'd.

A Supply voted.

Sir Job Charleton quits the Chair, and Mr. Edward Seymour choſen in his Place.

They addreſs againſt the Declaration for Indulgence.

Anno 25 Car. II. 1672-3.

Religion, our Liberties and Properties; which most gracious Assurances, your Majesty hath, out of your great Goodness, been pleas'd to renew unto us, more particularly at the Opening of this present Session of Parliament. And further we crave Leave humbly to represent, That we have, with all Duty and Expedition, taken into our Consideration several Parts of your Majesty's last Speech to us, and withal the Declaration therein mention'd for Indulgence to Dissenters, dated the 15th Day of March last: And we find ourselves bound in Duty to inform your Majesty, That Penal Statutes in Matters ecclesiastical cannot be suspended but by Act of Parliament. We therefore, the Knights, Citizens and Burgesses of your Majesty's House of Commons, do most humbly beseech your Majesty, That the Laws may have their free Course, until it shall be otherwise provided for by Act of Parliament: And that your Majesty would be graciously pleas'd to give such Directions herein, That no Apprehensions or Jealousies may remain in the Hearts of your Majesty's good and faithful Subjects.

This Address was deliver'd to the King on the 19th of February; to which his Majesty answer'd, 'That it was of 'Importance, and therefore he would return his Answer in 'Writing.' Accordingly, four Days after, he sent this Answer to the House.

The King's Answer.

'Charles Rex. His Majesty hath receiv'd 'an Address from you, and hath seriously consider'd of it, 'and returneth you this Answer: That he is very much 'troubled That that Declaration, which he put out for Ends 'so necessary to the Quiet of this Kingdom, especially in that 'Conjuncture, should prove the Cause of Disquiet, and give 'Occasion to the questioning of his Power in Ecclesiastics, 'which he finds not done in the Reigns of any of his Ancestors. He is sure he never had Thoughts of using it otherwise, 'than as it hath been entrusted in him, to the Peace and 'Establishment of the Church of England, and the Ease of 'all his Subjects in general: Neither doth he pretend to 'suspend any Laws, wherein the Properties, Rights or Liberties of any of his Subjects are concern'd, nor to alter 'any thing in the establish'd Doctrine or Discipline of the 'Church of England: But his only Design in this was to take 'off the Penalties the Statutes inflict upon the Dissenters, and 'which he believ'd, when well consider'd of, you yourselves 'would not wish executed according to the Rigour and 'Letter of the Law: Neither hath he done this with any 'Thought of avoiding or precluding the Advice of his Parliament; and if any Bill shall be offer'd him, which shall 'appear more proper to attain the aforesaid Ends, and secure 'the Peace of the Church and Kingdom, when tender'd in 'due Manner to him, he will shew how readily he will

'concur in all Ways that ſhall appear good for the Good of 'the Kingdom.'

The Commons immediately came to this ſhort Reſolution, 'That the Thanks of this Houſe be return'd to his Majeſty, for his gracious Aſſurances, and Promiſes in his Anſwer to the Addreſs.' But, being ſtill diſſatisfy'd, they took the ſaid Meſſage into Conſideration again; and, after ſome little Debate (in which a Paſſage from his Majeſty's Speech of Feb. 18, 1660. was read, viz. 'If the Diſſenters will demean themſelves peaceably and 'modeſtly under the Government, I could heartily wiſh, I 'had ſuch a Power of Indulgence to uſe upon Occaſion, as 'might not needleſly force them out of the Kingdom, or, 'ſtaying here, give them cauſe to conſpire againſt the Peace 'of it.') Agreed upon the following ſecond Addreſs:

The Commons Second Addreſs.

'Moſt gracious Sovereign, We your Majeſty's humble and loyal Subjects, the Knights, Citizens, and Burgeſſes in Parliament aſſembled, do render to your Sacred Majeſty our moſt dutiful Thanks, for that, to our unſpeakable Comfort, your Majeſty hath been pleaſed to reiterate to us thoſe gracious Promiſes and Aſſurances of maintaining the Religion now eſtabliſhed, and the Liberties and Properties of your People: And we do not in the leaſt meaſure doubt but that your Majeſty had the ſame gracious Intentions in giving Satisfaction to your Subjects, by your Anſwer to our laſt Petition and Addreſs. Yet, upon a ſerious Conſideration thereof, we find, That the ſaid Anſwer is not ſufficient to clear the Apprehenſions, that may juſtly remain in the Minds of your People, by your Majeſty's having claim'd a Power to ſuſpend Penal Statutes in Matters Eccleſiaſtical; and which your Majeſty does ſtill ſeem to aſſert in the ſaid Anſwer, to be entitled in the Crown, and never queſtion'd in any of the Reigns of your Anceſtors: Wherein we humbly conceive, That your Majeſty hath been much miſ-informed; ſince no ſuch Power was ever claim'd, or exercis'd by any of your Majeſty's Predeceſſors: And, if it ſhould be admitted, might tend to the interrupting the Free Courſe of the Laws, and Altering the Legiſlative Power, which hath always been acknowledg'd to reſide in your Majeſty, and your two Houſes of Parliament. We do, therefore, with unanimous Conſent, become again moſt humble Suitors to your Sacred Majeſty, That you would be pleaſed to give us a full and ſatisfactory Anſwer to our ſaid Petition and Addreſs; and that your Majeſty wou'd make ſuch effectual Order, That the Proceedings in this Matter, may not, for the future, be drawn into Conſequence, or Example.'

The King's Anſwer to this Addreſs was, 'It is of Conſequence, and I will take it into Conſideration.'

Anno 25 Car. II. 1672-3.

In the midst of these vigorous Proceedings with regard to the King's Declaration, it was observ'd to the Honour of Alderman Love, a City Member, That, altho' a Dissenter himself, he stiffly opposed the Indulgence; warmly declaring, that he had much rather still go without their desired Liberty, than have it in a Way that wou'd prove so detrimental to the Nation. And when, by the Instigation of Lord Clifford, a Motion was made in favour of the Dissenters, with a design to embroil the House, a Stop was put to it, at his Instance; That nothing (as he express'd himself) with relation to them might intervene, to stop the Security that the Nation, and the Protestant Religion, might have by that new Act. He was seconded in this by his whole Party, and their Behaviour on the Occasion was look'd upon to be so meritorious, that a Bill was brought in for their Relief in Matters of Religion, consisting of the following Heads:

Mr. Alderman Love opposes the Declaration, &c.

An Act design'd for the Ease of the Dissenters.

'1. That Ease shall be given to his Majesty's Protestant-Subjects, Dissenters in matters of Religion, who shall subscribe the Articles of the Doctrine of the Church of England, and shall take the Oaths of Allegiance and Supremacy. 2. That the said Protestant-Subjects be eas'd from all Pains and Penalties for not coming to Church. 3. That the Clause in the late Act of Uniformity for declaring the Assent and Consent, be taken away by this Bill. 4. That the said Protestant-Subjects be eas'd from all Pains and Penalties for meeting together for Performance of any Religious Exercise. 5. That every Teacher shall first give Notice of the Place where he intends such his Meeting, to the respective Quarter-Sessions; where in open Court he shall first make such Subscription, and take such Oaths as aforesaid, and receive from thence a Certificate thereof, where all such Proceedings shall remain upon Record. 6. That any such Teacher may exercise as aforesaid until the next respective Quarter-Sessions, and no longer, in Case he shall not first take the Oaths, and make such Subscription before two of the neighbouring Justices of the Peace; and shall first give them Notice of the Place of this intended Meeting, and take Certificate thereof under the said Justices Hand; a Duplicate whereof they are to return into the next Quarter-Sessions. 7. That the Doors and Passages of all Houses and Places where the said Dissenters do meet, shall be always open and free, during the Time of such Exercise. 8. That if any Dissenter refuse to take Church-Wardens Oaths, that then he shall find them another fit Person, who is no Dissenter, to execute that Office, and shall pay him for his Pains.' At the same time it was ordered, 'That a Bill be prepared and brought in to enjoin all Persons that are in Ecclesiastical Preferments, to Catechise and Instruct the Youth

Another for Catechising of Youth.

Youth within their ſeveral Pariſhes and Places of Incumbency every Sunday in the Afternoon, in the Church-Catechiſm, and to explain the ſame; and to expound thereupon to the Congregation.' The firſt of theſe Bills was ſtopt in the Houſe of Lords, and the ſecond was never compleated: But, in the mean while, both Houſes unanimouſly joined in the following Addreſs to his Majeſty; 'We, your Majeſty's moſt dutiful and loyal Subjects, the Lords Spiritual and Temporal and Commons in this preſent Parliament aſſembled, being very ſenſible of the great Dangers and Miſchiefs that may ariſe within this your Majeſty's Realm, by the Encreaſe of Popiſh Recuſants amongſt us; and conſidering the great Reſort of Prieſts and Jeſuits in this Kingdom, who daily endeavour to ſeduce your Majeſty's good Subjects from their Religion and Allegiance, and how much your loyal Subjects are diſheartned to ſee ſuch Popiſh Recuſants admitted into Employments of great Truſt and Profit, and eſpecially into Military Commands over the Forces now in your Majeſty's Service; and having a tender Regard to the Preſervation of your Majeſty's Perſon, and the Peace and Tranquility of this Kingdom, in all Humility deſire, 1. That your Majeſty would be pleaſed to iſſue out your Royal Proclamation to command all Prieſts and Jeſuits (other than ſuch, as, not being natural born Subjects, are oblig'd to attend upon your Royal Conſort the Queen) to depart within thirty Days out of this your Majeſty's Kingdom: And that if any Prieſt or Jeſuit ſhall happen to be taken in England, after the Expiration of the ſaid Time, that the Laws be put in execution againſt them; and that your Majeſty wou'd pleaſe in the ſaid Proclamation to command all Judges, and other Officers, to put the ſaid Laws in execution. 2. That your Majeſty wou'd likewiſe be pleas'd, That the Lord Chancellor of England ſhall, on or before the 25th of March inſtant, iſſue out Commiſſions of *Dedimus Poteſtatem* to the Judge-Advocate and Commiſſaries of the Muſters, and ſuch other Perſons as he ſhall think fit, to tender the Oaths of Allegiance and Supremacy to all Officers and Soldiers, now in your Majeſty's Service and Pay; and that ſuch as refuſe the ſaid Oaths, may immediately be diſbanded, and not allow'd to continue in any Pay or Penſion; and that the Chancellor ſhall require due Returns to be made thereof, within ſome convenient Time after iſſuing out of the ſaid Commiſſions. 3. That the Commiſſaries of the Muſters be commanded and enjoin'd by your Majeſty's Warrant, upon the Penalty of loſing their Places, not to permit any Officer to be muſter'd in the Service and Pay of his Majeſty, until he hath taken the Oaths of Allegiance and Supremacy, and receiv'd the Sacrament of the Lord's Supper, according to the Uſage of the Church of England; and that every Soldier ſhall

Anno 25 Car. II. 1673.

An Addreſs of both Houſes againſt Papiſts and Jeſuits.

Anno 25 Car. II. 1673-3.

shall take the said Oaths before his first Muster, and receive the Sacrament in like manner before his second Muster. And this we present in all Dutifulness to your Majesty's Princely Wisdom and Consideration, as the best Means for satisfying and composing the Minds of your loyal Subjects; humbly desiring your Majesty graciously to accept of this our Petition, as proceeding from Hearts and Affections entirely devoted to your Majesty's Service, and to give it your Royal Approbation. The King's Answer was as follows:

His Majesty's Answer.

'I do heartily agree to the Matter of your Address, 'and shall give speedy Order to put it in Execution; but 'hope it was not meant in the Parts thereof, that it should 'extend to the Forces to be employ'd immediately beyond 'the Seas.'

The next Day, March the 8th, his Majesty went to the House of Lords, and sending for the Commons, he made this following Speech to both Houses. 'My Lords and Gentlemen, 'Yesterday you presented me with an Address, as the best 'Means for the satisfying and composing the Minds of my 'Subjects; to which I freely and readily agree, and shall 'take care to see it perform'd accordingly. I hope, on the 'other side, you Gentlemen of the House of Commons, will 'do your Part; for I must put you in mind, it is near five 'Weeks since I demanded a Supply; and what you voted 'unanimously upon it, did both give Life to my Affairs at 'home, and disheartned my Enemies abroad: But the 'seeming Delay it hath met with since, hath made them take 'new Courage, and they are now preparing for this 'next Summer a greater Fleet, as they say, than ever they 'had yet; so that if the Supply be not speedily dispatch'd, 'it will be altogether ineffectual; and the Safety, Honour 'and Interest of England must of necessity be expos'd. 'Pray lay this to heart, and let not the Fears and Jealousies 'of some draw inevitable Ruin upon us all. My Lords and 'Gentlemen, if there be any Scruple yet remaining with 'you concerning Suspension of penal Laws, I here faithfully promise you, that what hath been done in that particular, 'shall not for the future be drawn into Example and Consequence. And as I daily expect from you a Bill for my Supply, so I assure you, I shall as willingly receive and pass 'any other you shall offer me, that may tend to the giving 'you Satisfaction in all your just Grievances.' In Confirmation of this Speech, Mr. Secretary Coventry gave the House to understand that his Majesty had ordered the Declaration to be vacated, and that he had seen the Seal taken off accordingly. All which was so pleasing and obliging to the Parliament in general, that both Houses join'd in the following

His Speech to both Houses.

The Declaration of Indulgence cancell'd.

Vote,

Vote, 'Reſolved *nemine contradicente*, That the humble and hearty Thanks of theſe Houſes be return'd to his Majeſty, for his gracious full and ſatisfactory Anſwer this Day given to their humble Petitions and Addreſſes.' This was declared to the King in the Banqueting-Houſe, by the Mouth of the Lord Chancellor at the head of both Houſes; to which his Majeſty made this Anſwer, 'My Lords and Gentlemen, I hope there never will be any Difference amongſt us; I aſſure you there ſhall never be any Occaſion on my Part.' Anno 4 Car. II. 1678-9. Their Thanks for it.

Theſe Anſwers did not hinder the Houſe from proceeding to the Redreſs of Grievances: For on the 18th the King's Letter and Proclamation regarding Ireland being read, whereby ſeveral Licences were given to all Papiſts to live in Corporations and exerciſe their Trades there with all Privileges, &c. it was reſolved that an Addreſs ſhould be preſented to his Majeſty on that Head; as likewiſe, another on the Subject of Grievances in England. But while theſe were in Agitation, Mr. Secretary Coventry was ordered to acquaint the Houſe, 'That his Majeſty intended them a Receſs on the 28th Inſtant.' But this not taking the deſired Effect, a written Meſſage was ſent by the ſaid Secretary on the 24th, which was as follows:

Charles Rex.

'I am commanded by his Majeſty, in purſuance of his late Meſſage, to acquaint you that his Majeſty intends you ſhall riſe before Eaſter, and therefore expects an Expedition of ſuch Bills as are of moſt Importance; the Bill of Popery, and that of Supply particularly: And for ſuch other Bills as concern either the Public or Particular, I cannot be ſo ſoon ready. That they may not receive a Diſappointment, his Majeſty reſolves to make this an Adjournment 'till the Beginning of October, when you may continue their Proſecution; in the mean time his Majeſty will take ſuch Care of the Proteſtant Religion, that you ſhall have no Cauſe to complain.' The King's Meſſage to the Houſe.

But neither had this Meſſage any more Influence than the laſt: But the Houſe proceeded with two Addreſſes relating to Grievances as follows:

The firſt is, 'Moſt gracious Sovereign, We your Majeſty's moſt loyal Subjects, the Commons in this preſent Parliament aſſembled, conceiving ourſelves bound in neceſſary Duty to your Majeſty, and in Diſcharge of the Truſt repos'd in us, truly to inform your Majeſty of the Eſtate of this your Kingdom; and tho' we are abundantly ſatisfy'd, that it hath been always your royal Will and Pleaſure, that your Subjects ſhould be govern'd according to the Laws and Cuſtoms The Commons Addreſs concerning Grievances in England.

Anno 5 Car. II. 1672.

Subjects of these Realms; yet finding, that contrary to your Majesty's gracious Intentions, some Abuses and Grievances are crept in, we crave Leave humbly to represent them to your Majesty's Knowledge; and to desire, 1. That the Imposition of Twelve Pence per Chaldron upon Coals, for providing of Convoys, by virtue of an Order of Council, dated the 15th of May 1672, may be recall'd, and all Bonds taken by virtue thereof, cancell'd. 2. That your Majesty's Proclamation of the 4th of December 1672, for preventing Disorders which may be committed by Soldiers, and whereby the Soldiers now in your Majesty's Service are in a manner exempted from the ordinary Course of Justice, may likewise be recall'd. 3. And whereas great Complaints have been made out of the several Parts of this Kingdom of divers Abuses committed in Quartering of Soldiers, That your Majesty would be pleas'd to give Order to redress those Abuses; and in particular, That no Soldiers be hereafter quarter'd in any private Houses; and that due Satisfaction may be given to the Inn-Keepers and Victuallers where they lie, before they remove. 4. And since the Continuance of Soldiers in this Realm will necessarily produce many Inconveniences to your Majesty's Subjects, We do humbly present it as our Petition and Advice, That when the present War is ended, all the Soldiers that have been rais'd since the last Session of Parliament, may be disbanded. 5. That your Majesty would likewise be pleas'd to consider of the Irregularities and Abuses in pressing Soldiers, and give Order for the Prevention thereof for the future. 6. And altho' it hath been the Course of former Parliaments to desire Redress in their Grievances, before they proceeded to give a Supply; yet we have so full Assurance of your Majesty's Tenderness and Compassion towards your People, that we humbly prostrate ourselves at your Majesty's Feet with these our Petitions, desiring your Majesty to take them into your Princely Consideration, and to give such Orders for the Relief of your Subjects, and the removing these Pressures, as shall seem best to your Royal Wisdom.'

Another concerning Grievances in Ireland.

The Second concerning Ireland was as follows: 'Most Gracious Sovereign, We your Majesty's most loyal Subjects, the Commons in this present Parliament assembled, taking into Consideration the great Calamities which have formerly befallen your Majesty's Subjects of the Kingdom of Ireland from the Popish Recusants there, who for the most part are profess'd Enemies to the Protestant Religion, and the English Interest, and how they making ill Use of your Majesty's gracious Disposition and Clemency, are at this Time grown more insolent and presumptuous than formerly, to the apparent Danger of that Kingdom, and your Majesty's Protestant Subjects there, the Consequence whereof may likewise prove very

Fatal

fatally prevented: And having ſeriouſly weigh'd what Remedies may be moſt properly apply'd to theſe growing Diſtempers, do in all humility preſent your Majeſty with theſe our Petitions. 1. That, for the eſtabliſhing and quieting the Poſſeſſions of your Majeſty's Subjects in that Kingdom, your Majeſty would be pleas'd to maintain the *Acts of Settlement*, and *Explanatory Act* thereupon, and to recall the Commiſſion of Enquiry into Iriſh Affairs, bearing date the 17th of January laſt, as containing many new and extraordinary Powers, not only to the prejudice of particular Perſons, whoſe Eſtates and Titles are thereby made liable to be queſtion'd; but in a manner to the overthrow of the *Acts of Settlement*; and, if purſu'd, may be the occaſion of great Charge and Attendance to many of your Subjects in Ireland, and ſhake the Peace and Security of the whole. 2. That your Majeſty wou'd give Order, that no Papiſt be either continu'd, or hereafter admitted to be Judges, Juſtices of the Peace, Sheriffs, Coroners or Mayors, Sovereign or Port-Reeves in that Kingdom. 3. That the Titular Popiſh Arch-biſhops, Biſhops, Vicars-General, Abbots, and all other exerciſing Eccleſiaſtical Juriſdiction by the Pope's Authority, and in particular, Peter Talbot, pretended Archbiſhop of Dublin, for his notorious Diſloyalty to your Majeſty, and Diſobedience and Contempt of your Laws, may be commanded by Proclamation forthwith to depart out of Ireland, and all other your Majeſty's Dominions, or otherwiſe to be proſecuted according to Law. And that all Convents, Seminaries, and public Popiſh Schools may be diſſolv'd and ſuppreſs'd, and the Regular Prieſts commanded to depart under the like Penalties. 4. That no Iriſh Papiſt be admitted to inhabit in any Corporation in that Kingdom, unleſs duly licens'd according to the foreſaid *Acts of Settlement*; and that your Majeſty wou'd be pleas'd to recall your Letters of the 26th of February 1671, and your Proclamation thereupon, whereby general Licence is given ſuch Papiſts as inhabit in Corporations there. 5. That your Majeſty's Letters of the 28th of September 1672, and the Order of Council thereupon, whereby your Subjects are required not to proſecute any Actions againſt the Iriſh for any Wrongs or Injuries committed during the late Rebellion, may likewiſe be recall'd. 6. That Colonel Richard Talbot, who hath notoriouſly aſſum'd to himſelf the Title of Agent for the Roman Catholics in Ireland, be immediately diſmiſs'd out of all Command, either civil or military, and forbid any Acceſs to your Majeſty's Court. 7. That your Majeſty wou'd be pleas'd, from Time to Time, out of your Princely Wiſdom, to give ſuch further Orders and Directions to the Lord-Lieutenant, as may beſt conduce to the Encou-

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regement of the English Planters, and Protestant Inhabitants, and the Suppression of the Insolencies and Disorders of the Irish Papists there. These our humble Desires we present to your Majesty, as the best Means to preserve the Peace and Safety of that your Kingdom, which hath been so much of late in danger from the Practices of the said Irish Papists, and particularly of the said Richard and Peter Talbot. And we do not doubt but your Majesty will find the happy Effects thereof, to the great Satisfaction and Security of your Government and Person, which of all earthly things is most dear to us your Majesty's most loyal Subjects.

These two Addresses being presented to the King, his Majesty immediately return'd this following obliging Answer by way of Message; 'That he observed the Addresses consisted of many different parts, therefore it cou'd not be expected there shou'd be a present Answer: But for the several particular things contain'd in them, he would before the next Meeting, take such effectual Care, that no Man shou'd have Reason to complain.' With which the House thought themselves and the Nation so well secured, that they presently Voted, 'That the humble Thanks of the House be presented to his Majesty, for the often Accesses they have been admitted to his Majesty's Person; and for his most gracious Answers to the several Addresses of this House; and particularly for the last gracious Message, and for the Care he hath declared he will take of the Protestant Religion.' The Money-Bill immediately pass'd, but under the Title of a Supply of his Majesty's Extraordinary Occasions; and with a particular Proviso tack'd to it, That no Papist shou'd be capable of holding any public Employment. On the 29th of March, before the Bill in favour of Protestant Dissenters, and some others cou'd be finish'd, the King came to the House of Peers, and, besides the Money-Bill, pass'd nine public Acts, *viz.* 1. *An Act for the King's Majesty's most gracious, general, and free Pardon, but with many Exceptions.* 2. *An Act continuing a former Act concerning Coinage.* 3. *An Act for enabling his Majesty to make Leases of his Lands belonging to the Dutchy of Cornwall.* 4. *An Act for preventing Dangers which may happen from Popish Recusants.* 5. *An Act for reviving the Judicature for the Determination of Differences touching Houses burnt down by the late Fire, &c.* 6. *An Act for taking off Aliens Duties upon Commodities of the Growth and Manufactures of this Nation.* 7. *An Act for encouraging the Greenland Trades, and for the better securing the Plantation Trades.* 8. *An Act for Repeal of a Clause in a former Act to prohibit Sales-men from selling fat Cattle.* 9. *An Act to enable the County Palatine of Durham to send Knights and Burgesses to serve in Parliament.* Upon passing these Bills, the King adjourn'd the Parliament to the 20th of October.

The King's Answer.

Thanks voted.

Acts pass'd.

The End of the eleventh Meeting of the second Parliament.

On

On the ſaid 20th Day of October, the Parliament met according to their Adjournment, when the Commons ſhewed their Diſguſt againſt ſeveral Proceedings, and preſently voted, 'That an Addreſs be made to his Majeſty, to acquaint his Majeſty, that it is the humble Deſire of this Houſe, that the intended Marriage of his Royal Highneſs with the Dutcheſs of Modena, be not conſummated; and that he may not be marry'd to any Perſon but of the Proteſtant Religion.' Upon which, the King immediately prorogu'd the Parliament to the 27th of the ſame Month. When his Majeſty, without ſhewing any particular Diſpleaſure, from the Throne made this following Speech:

'My Lords and Gentlemen,

The King's Speech to both Houſes.

'I Thought this Day to have welcomed you with an honourable Peace: My Preparations for the War, and Condeſcenſions at the Treaty, gave me great Reaſon to believe ſo; but the Dutch have diſappointed me in that Expectation, and have treated my Ambaſſadors at Cologne with the Contempt of Conquerors, and not as might be expected from Men in their Condition. They have other Thoughts than Peace. This obligeth me to move you again for a Supply; the Safety and Honour of the Nation neceſſarily requiring it. It muſt be one proportionable to the Occaſion; and I muſt tell you beſides, that, if I have it not ſpeedily, the Miſchief will be irreparable in my Preparations for the next Spring. The great Experience I have had of you, Gentlemen of the Houſe of Commons, will not ſuffer me to believe, that the Artifices of our Enemies can poſſibly divert you from giving me this Supply, or that you can fail of adjuſting the Proportion of it. I hope I need not uſe many Words to perſuade you, that I am ſteady in maintaining all the Profeſſions and Promiſes I have made you concerning Religion and Property: And I ſhall be very ready to give you freſh Inſtances of my Zeal, for preſerving the eſtabliſh'd Religion and Laws, as often as any Occaſion ſhall require. In the laſt place, I am highly concern'd to commend to your Conſideration and Care, the Debt I owe the Goldſmiths, in which very many other of my good Subjects are involv'd: I heartily recommend their Condition to you, and deſire your Aſſiſtance for their Relief. There is more that I wou'd have you inform'd of, which I leave to the Chancellor.'

The Lord Chancellor Shaftesbury's Speech.

Accordingly, the Chancellor made the following Speech, 'My Lords, and you the Knights, Citizens and Burgeſſes of the Houſe of Commons, His Majeſty had reaſon to expect that he ſhould have met you with the

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the Olive-Branch of Peace: His Naval Preparations, greater than in any former Years, together with his Land-Forces he had ready for any Occasion, gave him Assurance to obtain it before this Time: And the rather, because his Aims were not Conquest, unless by Obstinacy enforc'd: but his Condescensions at the Treaty have been so great, that the very Mediators have declared they were not reasonably to be refus'd. He cou'd not be King of Great Britain without securing the Dominion and Property of his own Seas; the first by an Article clear, and not elusory of the Flag; the other, by an Article that preserv'd the Right of the Fishing, but gave the Dutch Permission, as Tenants, under a small Rent, to enjoy, and continue that Gainful Trade upon the Coasts. The King was oblig'd, for the Security of a lasting Peace, as also by the Laws of Gratitude and Relation, to see the House of Orange settled, and the Lovestein, that Carthaginian Party, brought down. Neither in this did the King insist beyond what was moderate, and agreeable to their Government, and what the Prince's Ancestors enjoy'd amongst them. Besides these, it was necessary to the Trade of England, that there shou'd be a fair Adjustment of Commerce in the East-Indies; where the King's Demands were reasonable, and according to the Law of Nations; and their Practice of late Years hath been Exorbitant and Oppressive, suitable only to their Power and Interest, and destructive, if continu'd, to our East-India Company. These were all, of any Moment, the King insisted on, as judging right, that that Peace that was Reasonable, Just and Fair to both Parties, wou'd be sacred and durable. And that by this Means, he shou'd depress the Interest and Reputation of that Lovestein Party amongst them, who suck'd in with their Milk an Inveterate Hatred to England, and transmit it to their Posterity, as a distinguishing Character wherein they place their Loyalty to their Country.

'In return to this candid, and fair Proceeding on the King's part, his Majesty assures you, he hath receiv'd nothing but the most scornful and contemptuous Treatment imaginable; Papers deliver'd in to the Mediators, own'd by them to be stuff'd with so unhandsome Language, that they were asham'd, and refus'd to shew them; never agreeing to any Article about the Flag, that was clear or plain; refusing any Article of the Fishing, but such a one, as might sell them the Right of Inheritance, for an inconsiderable Sum of Money, tho' it be a Royalty so inherent to the Crown of England, that I may say (with his Majesty's Pardon for the Expression) he cannot sell it. The Article of the Prince of Orange, and the Adjustment of the East-India Trade, had neither of them any better Success: And, to make all of a piece,

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piece, they have, this laſt Week, ſent a Trumpeter with an Addreſs to his Majeſty, being a Deduction of their ſeveral Offers of Peace, as they call them, and their Deſires for it now; but it is, both in the penning and the timing of it, plainly an Appeal to his Majeſty's People againſt himſelf; And the King hath commanded me to tell you, He is reſolv'd to join Iſſue with them, and print both their Addreſs, and his Anſwer, that his People and the World may ſee how notorious Falſhoods and Slights they endeavour to put upon Him. In a word, in England, and all other Places, and to all other Perſons in the World, they declare they offer all things to obtain a Peace from the King of England: but to himſelf, his Miniſters, the Mediators, or his Plenipotentiaries, it may with Confidence and Truth be affirm'd, that, to this day, nay even in this laſt Addreſs, they have offer'd nothing. They deſire the King's Subjects would believe they beg for Peace, while their true Requeſt is, only to be permitted to be Maſters of the Seas; which they hope, if they can ſubſiſt at Land, length of Time may give them; and, if once got, is never to be loſt; nor can it be bought by any State or Empire at too great a Rate. And what Security their Agreement with us in Religion will afford, when they ſhall have the Power, former Inſtances may give Demonſtration of. Joint Intereſts have often ſecured the Peace of differing Religions, but agreeing Profeſſions have hardly an Example of preſerving the Peace of different Intereſts.

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'This being the true and natural State of Things, his Majeſty doth with great Aſſurance throw himſelf into the Arms of you his Parliament, for a Supply ſuitable to this great Affair he is engag'd in. When you conſider we are an Iſland, 'tis not Riches nor Greatneſs we contend for; yet thoſe muſt attend the Succeſs; but it is our very Beings are in queſtion: We fight *pro Aris & Focis* in this War. We are no longer Free-Men, being Iſlanders, and Neighbours, if they maſter us at Sea. There is not ſo lawful or commendable Jealouſy in the World, as an Engliſh-Man's, of the growing Greatneſs of any Prince or State at Sea. If you permit the Sea, our Britiſh Wife, to be raviſh'd, an eternal Mark of Infamy will ſtick upon us: Therefore I am commanded earneſtly to recommend to you, not only the Proportion, but the Time of the Supply. For unleſs you think of it early, it will not be ſerviceable to the chief End of ſetting out a Fleet betimes the next Spring. As for the next Part of the King's Speech, I can add nothing to what his Majeſty hath ſaid. For as to Religion and Property, his Heart is with your Heart, perfectly with your Heart. He hath not yet learned to deny you any thing; and he believes your Wiſdom and Moderation

deration is such, he never shall. He asks of you to be at peace in Him, as he is in You, and he shall never deceive you.

'There is one Word more, I am commanded to say concerning the Debt owing to the Goldsmiths: The King holds himself in Honour and Conscience oblig'd to see them satisfy'd. Besides, you all know how many Widows, Orphans and particular Persons, this publick Calamity hath overtaken; and how hard it is, That so disproportionable a Burden shou'd fall upon them, even to their utter Ruin. The whole Case is so well and generally known, that I need say no more. Your Great Wisdom hath not done it at the first, peradventure that the Trade of the Bankers might be suppressed; which End is now attained: So that now your Great Goodness may restore to those poor People, and the many innocent ones that are concern'd with them, some Life and Assurance of Payment in a competent Time. My Lords and Gentlemen, I have no more in Command, and therefore I shall conclude with my own hearty Prayers, that this Session may equal, nay exceed the Honour of the last; That it may perfect what the last begun for the Safety of this King and Kingdom; That it may be for ever famous for having establish'd, upon a durable Foundation, our Religion, Laws and Properties; That we may not be toss'd with boisterous Winds, nor overtaken by a sudden, dead Calm: But that a gentle, fair Gale may carry you in a steady, even, and resolv'd Way into the Ports of Wisdom and Security.

The Speech ended, and the Commons return'd to their House, they were so affected with the Thoughts of Popery, that the first thing they resolv'd was a more than ordinary Solemnization of the Fifth of November, and that Dr. Stillingfleet be the Preacher. Then, appointing a Grand Committee for Religion, Grievances, Trade, and Courts of Justice, they adjourn'd themselves till the 30th Instant. On which Day, Mr. Secretary Coventry brought from his Majesty the following Answer to their Address concerning the Duke of York, and his intended Marriage: 'C.R.

A Message from the King to the Commons.

'His Majesty having receiv'd an Address from the House of 'Commons, presenting their humble Desire that the intended 'Marriage betwixt his Royal Highness and the Princess of 'Modena may not be consummated, commanded this An'swer to be return'd, That he perceiv'd the House of Com'mons have wanted a full Information of this Matter, the 'Marriage not being barely intended, but compleated ac'cording to the Forms used amongst Princes, and by his 'Royal Consent and Authority: Nor cou'd he in the least 'suppose it disagreeable to this House of Commons, his Royal 'Highness

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' Highneſs having been in the View of the World for ſe-
' veral Months engag'd in a Treaty of Marriage with another
' Catholic Princeſs, and yet a Parliament held during the
' Time, and not the leaſt Exception taken at it.' They were not ſatisfied with this Anſwer; And, therefore immediately voted to draw up another Addreſs, with particular Reaſons againſt the Marriage; and the ſame Day voted, ' That a Bill ſhou'd be prepar'd for a General Teſt betwixt Proteſtants and Papiſts, and thoſe that refus'd to take it, ſhou'd be incapable of bearing any Office Military or Civil, or to ſit in Parliament, or to come within five Miles of the Court.' They likewiſe went on with a Bill for Repair of Churches, and for the better recovery of ſmall Tythes.

A general Teſt Voted.

Upon Friday the 11th of October the Houſe of Commons firſt took into their Conſideration his Majeſty's Speech, and after a long and ſerious Debate in a grand Committee, they finally Reſolv'd, ' That the Houſe, conſidering the preſent Condition of the Nation, will not take into any further Debate the Conſideration of any Aid or Supply, or Charge upon the Subject, before the Time of Payment of the eighteen Months Aſſeſſment, granted by a late Act of Parliament, entitled, *An Act for raiſing the Sum of twelve hundred thirty eight thouſand ſeven hundred and fifty Pounds*, be expired; except it ſhall appear that the Obſtinacy of the Dutch ſhall render it neceſſary; nor before this Kingdom be effectually ſecured from Popery and Popiſh Counſellors, and the other preſent Grievances be redreſſed.' At the ſame time they order'd an Addreſs to be preſented to his Majeſty, for a general Faſt to be obſerved throughout the Nation.

Their grand Reſolve.

The Addreſs againſt the Duke's Marriage, was as follows: ' We your Majeſty's moſt humble and loyal Subjects, the Commons in this preſent Parliament aſſembled, being full of Aſſurance of your Majeſty's gracious Intentions to provide for the Eſtabliſhment of Religion, and the Preſervation of your People in Peace and Security; and foreſeeing the dangerous Conſequences which may follow the Marriage of his Royal Highneſs the Duke of York with the Princeſs of Modena, or any other of the Popiſh Religion; do hold ourſelves bound in Conſcience and Duty to repreſent the ſame to your Sacred Majeſty, not doubting but thoſe conſtant Teſtimonies which we have given your Majeſty of our true and loyal Affections to your ſacred Perſon, will eaſily gain a Belief that theſe our humble Deſires proceed from Hearts ſtill full of the ſame Affections towards your Sacred Majeſty, and with Intentions to eſtabliſh your royal Government upon thoſe true Supports of the Proteſtant Religion, and the Hearts of your People; with all Humility deſiring your Majeſty to take the ſame into your Princely

Their particular Addreſs againſt the Duke's Marriage.

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Princely Conſideration, and to relieve your Subjects from thoſe Fears and Apprehenſions which at preſent they lie under, from the Progreſs that hath been made in that Treaty. We do therefore humbly beſeech your Majeſty to conſider, 1. That if this Match do proceed, it will be a Means to diſquiet the Minds of your Proteſtant Subjects at home, and to fill them with endleſs Jealouſies and Diſcontents; and will bring your Majeſty into ſuch Alliances abroad, as will prove highly prejudicial, if not deſtructive, to the Intereſt of the very Proteſtant Religion itſelf. 2. We find by ſad Experience, that ſuch Marriages have increas'd and encourag'd Popery in this Kingdom, and given Opportunity to Prieſts and Jeſuits to propagate their Opinions, and ſeduce great Numbers of your Majeſty's Subjects. 3. We do already obſerve how much the Party is animated with the Hopes of this Match, which were lately diſcourag'd by your gracious Conceſſions in the laſt Meeting of this Parliament. 4. We greatly fear this may be an Occaſion to leſſen the Affections of the People to his Royal Highneſs, who is ſo nearly related to the Crown, and whoſe Honour and Eſteem we deſire may always be entirely preſerv'd. 5. That for another Age more, at leaſt, this Kingdom will be under the continual Apprehenſions of the Growth of Popery, and the Danger of the Proteſtant Religion. Laſtly, We conſider that this Princeſs, having ſo near a Relation and Kindred to many eminent Perſons of the Court of Rome, may give them great Opportunities to promote their Deſigns, and carry on their Practices amongſt us, and by the ſame Means penetrate into your Majeſty's moſt ſecret Counſels, and more eaſily diſcover the State of the whole Kingdom. And finding by the Opinions of very Learned Men, it is generally admitted, That ſuch Treaties and Contracts by Proxy are diſſolvable, of which there are ſeveral Inſtances to be produc'd; We do in all Humility beſeech your Majeſty to put a ſtop to the Conſummation of this intended Marriage. And this we do the more importunately deſire, becauſe we have not as yet the Happineſs to ſee any Iſſue of your Majeſty that may ſucceed in the Government of theſe Kingdoms; which Bleſſing we moſt heartily pray Almighty God in his due Time to beſtow upon your Majeſty and theſe Kingdoms, to the unſpeakable Joy and Comfort of all your Majeſty's Loyal Subjects, who deſire nothing more than to continue under the Reigns of your Majeſty, and your Royal Poſterity for ever.

The King's Anſwer.

To which Addreſs his Majeſty return'd this Anſwer, 'That it was a Matter he would take into his preſent Conſideration, and would ſpeedily return an Anſwer.' After which the Commons proceeded further, and voted the ſtanding Army a Grievance; and accordingly they prepar'd an Addreſs

Addreſs to be made to his Majeſty, ſhewing, 'That the ſtanding Army was a Grievance, and a Burden to the Nation.' Having prepared this on the 4th of November, and deſigning that Day to wait upon his Majeſty with it, the King, unexpectedly, and of a ſudden, appear'd at the Houſe of Peers with his Robes and Crown. The Lords made all haſte to attend him, while the Uſher of the Black-Rod was ſent to the Commons, to command the Speaker and that Houſe immediately to come up to his Majeſty. But it happen'd that the Speaker and the Uſher met both at the Door of the Houſe of Commons; and the Speaker being got within the Houſe, ſome of the Members ſuddenly ſhut the Door, and cry'd out, To the Chair, to the Chair! While others cry'd, The Black-Rod is at the Door! The Speaker was immediately hurry'd to the Chair, and then it was mov'd, 1. That our Alliance with France was a Grievance. 2. That the evil Counſellors about the King were a Grievance; and, 3. That the Duke of Lauderdale was a Grievance, and not fit to be truſted or employ'd in any Office or Place of Truſt. To which there was a general Cry, To the Queſtion, to the Queſtion! But the Black-Rod knocking earneſtly at the Door, the Speaker leapt out of the Chair, and the Houſe roſe in great Confuſion.

The ſtanding Army voted a Grievance.

Other Grievances.

Being come into the Houſe of Peers, the King from the Throne made this following Speech to both Houſes:

The King prorogues the Parliament with a Speech.

'My Lords and Gentlemen,

'I Need not tell you how unwillingly I call you hither at this Time, being enough ſenſible what Advantages my Enemies both abroad and at home will reap by the leaſt Appearance of a Difference betwixt Me and my Parliament; nay, being aſſured they expect more Succeſs from ſuch a Breach (could they procure it) than from their Arms. This, I ſay, ſhall, while I live, be my chief Endeavour to prevent; and for that Reaſon I think it neceſſary to make a ſhort Receſs, that all good Men may recollect themſelves againſt the next Meeting, and conſider, Whether the preſent Poſture of Affairs will not rather require their Application to Matters of Religion, and Support againſt our only Competitors at Sea, than to Things of leſs Importance: and, in the mean time, I will not be wanting to let all my Subjects ſee, That no Care can be greater than my own, in the effectual Suppreſſing of Popery: And it ſhall be your Faults, if in your ſeveral Countries the Laws be not effectually executed againſt the Growth of it. I will not be idle neither in ſome Things which may add to your Satisfaction; and then I ſhall expect a ſuitable Return from you.'

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Having ſpoke thus, he prorogu'd the Parliament to the 7th Day of January following:

When both Houſes of Parliament met at Weſtminſter, according to the ſaid Prorogation, after a Receſs of two Months and three Days; and the Seſſion was opened by his Majeſty on the Throne, with the Speech that enſues:

The Thirteenth Seſſion of the ſecond Parliament.

The King's Speech to both Houſes.

'My Lords and Gentlemen,

'WHen I parted with you laſt, it was but for a little 'Time, and with a Reſolution of meeting ſuddenly 'again. That alone was enough to ſatisfy my Friends 'that they need not fear, and my Enemies that they could 'not hope for a Breach between us. I then told you, That 'the Time of this ſhort Receſs ſhould be employ'd in doing 'ſuch Things as might add to your Satisfaction: I hope I 'have done my Part towards it; and if there be any thing 'elſe you think wanting to ſecure Religion or Property, 'there is nothing which you ſhall reaſonably propoſe, but 'I ſhall be ready to receive it. I do now expect you ſhould 'do your Parts too, for our Enemies make vigorous Prepa'rations for War, and yet their chief Hopes are to diſunite 'us at home; 'tis their common Diſcourſe, and they reckon 'upon it as their beſt Relief.

'My Lords and Gentlemen, It is not poſſible for me to 'doubt your Affections at any Time, much leſs at ſuch a 'Time as this, when the Evidences of your Affections are 'become ſo neceſſary to us all. I deſire you to conſider, 'that as the War cannot be made without a Supply, ſo 'neither can a good Peace be had without being in a Po'ſture of War. I am very far from being in love with 'War, for War's ſake; but if I ſaw any likelihood of 'Peace without Diſhonour to myſelf, and Damage to you, 'I would ſoon embrace it. But no Propoſals of Peace have 'yet been offer'd with Intent to conclude, but only to 'amuſe. Therefore the Way to a good Peace is to ſet out 'a good Fleet, which we have time enough to do very ef'fectually, if the Supply be not delay'd. If after this a 'Peace ſhould follow, yet the Supply would be very well 'given; for whatever remains of it, I am willing ſhould be 'appropriated for building more Ships. To conclude, a 'ſpeedy, a proportionable, and above all a chearful Aid, 'is now more neceſſary than ever, and I rely upon you for 'it. I lately put you in mind of my Debt to the Gold'ſmiths; I hope a fit Time will come to take that into Con'ſideration. I cannot conclude without ſhewing the entire 'Confidence I have in you. I know you have heard much 'of my Alliance with France, and I believe it hath been

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'very strangely misrepresented to you, as if there were 'certain secret Articles of dangerous Consequence; but I 'make no difficulty of letting the Treaties, and all the 'Articles of them, without any the least Reserve, be seen 'by a small Committee of both Houses, who may report 'to you the true Scope of them: And I assure you there 'is no other Treaty with France, either before or since, 'not already printed, which shall not be made known. 'And having thus freely trusted you, I do not doubt but you 'will have a Care of my Honour, and the Good of the 'Kingdom. The rest I refer to my Lord-Keeper.'

The Lord-Keeper Finch's Speech.

Accordingly the new Lord-Keeper, Sir Heneage Finch, late Attorney-General, made a long and eloquent Speech, beginning thus: 'My Lords, and you the Knights, Citizens, and Burgesses of the House of Commons, the King hath already in part told you, what he hath done for you since the last Recess, what he is still ready to do, and what it is he doth now expect from you: And this in Terms so full and obliging, so generous and so satisfactory, that he whose Affections are not rais'd by that Discourse, he who cannot acquiesce in the Fulness of this Assurance, he whose Heart is not establish'd by it in such a Belief as may entirely dispose him to the Service of the Crown, will hardly be recover'd to a better Disposition by any other Expedient. For indeed what better Way can be found to undeceive those who have been abus'd? The King refers you to the Time past; not to his Promises, but to his Performances; gives Men leave to judge by what they see, of what they hear; by what hath been done since the last Session, of what is offer'd you now, and what is likely to be done for the Time to come. And doth not every Man see that the King hath given new Life and Motion to such Laws as were long dead, or fast asleep? That he hath once more repaired the Hedge about our Vineyard, and made it a Fence against all those who are Enemies to the planting it, who would be glad to see it trodden down, or rooted up, and study how to sap and undermine our very Foundations? Do we not see that the King hath made it his Care and Business to do all that is possible to preserve our Civil Rights too; That he makes the Laws of his Kingdom the Measures not only of his Power but his Prudence; That he suffers no Man to be wiser than the Laws; That he thinks he cannot judge of the Health or Sickness of his State by any better Indication than the Current of his Laws, and suffers nothing to remain that may in the least hinder Justice from flowing in its due and proper Channel? To name a few Instances; If the Conviction of all Recusants, and bringing them under the Penal Laws,

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can ſuppreſs Popery: If, without ſtaying for Forms of Law in Points of Conviction, the preſent forbidding of Papiſts, or reputed Papiſts to come to Court, and the extending this Prohibition to his royal Palace at St. James's, be enough to diſcountenance them; if the not extending his Prerogative beyond its due Limits, can ſecure your Liberties; if his leſſening and reducing all his Land Forces, and maintaining ſo few extraordinary, as will ſcarce be enough to man his Fleet this Summer, can extinguiſh the Fears of a ſtanding Army; if a rigorous and ſevere Proſecution of all the Officers and Soldiers in his Majeſty's Guards, when they miſbehave themſelves towards the meaneſt Subject, can ſecure your Properties; if the Abrogation of all the Privileges from Arreſts, claim'd by his Majeſty's Servants extraordinary, who are very numerous, can prevent the Delays and Obſtructions of Juſtice; Then ſurely his Majeſty hath Reaſon to believe, that nothing is wanting which can lawfully be done, or modeſtly be wiſh'd, either for your Satisfaction, or your Security. Theſe are not ſingle and tranſient Acts, but ſuch as flow from Habits; theſe are not Leaves and Bloſſoms, but true, ſolid and laſting Fruits: Long, long! may that Royal Tree live and flouriſh, upon which theſe Fruits do grow. And yet his Majeſty's Indulgence to you reſts not here; he gives you leave to ſtudy and contrive your own Aſſurance; and if you think you want any further Security, if any thing has eſcap'd his Majeſty's Care, who meditates nothing more than your Preſervation, you ſee you have free Leave to make any reaſonable Propoſition, and his gracious Promiſe that he will receive it. This is a Satisfaction equal to all your Wiſhes. Now, if ever, your Joys are full; there wants no more to the Improvement of this Happineſs, but the Wiſdom of the Parliament to uſe theſe Advantages with due Moderation. If therefore upon Enquiry you ſhall think it needful to apply any other Remedies, it is extremely to be wiſh'd that thoſe Remedies may be few, and withal, that they be gentle and eaſy too. For the Sick periſh as often by too many Remedies, as by none at all; but none fall ſo fatally and ſo finally, as they who, being enter'd into ſome Degrees of Convaleſcence, reſolve to recover it in an Inſtant; and had rather make ſome great Effort, or try ſome bold Experiment upon themſelves, than obſerve the Method, or attend thoſe gradual Progreſſions which are neceſſary to perfect that Health, and compleat that Recovery.

'I muſt not omit one Inſtance more of his Majeſty's Care for you, and that is the great Induſtry and Application of Mind which his Majeſty hath uſed all along, in hopes to have obtain'd by this Time, if it had been poſſible, an honourable and juſt Peace.' Then he made a large Deduction

duction of the Dutch Averſeneſs to Peace, their uncivil Demeanour to the King's Plenipotentiaries at Cologne, and how indirectly they dealt with his Majeſty in all the Overtures of Peace, by appealing to his own People, &c. After which he proceeded in theſe Words: 'I have done with theſe few Inſtances of his Majeſty's Care, thoſe of his Kindneſs are infinite; That which you heard this Morning is of a tranſcendent, and indeed a very ſurpriſing Nature; 'tis an Act of ſo entire a Confidence on his Majeſty's part, that it can never be repaid by any other Tribute on your part, but that of a true and humble Affiance in him. I muſt now proceed to put you in mind, that there are ſome other things which his Majeſty, with great Juſtice, and great Aſſurance, doth expect from you again. The firſt is a ſpeedy and proportionable Supply; and this is of abſolute Neceſſity both for War and Peace. His Majeſty is well aſſured his Fleet is in ſuch a Forwardneſs, that if the Supply come in any reaſonable Time, you will find no Time hath been loſt in the Preparation; and it was no ſmall matter to bring it to that paſs, that we may be as forward as our Enemies, if we pleaſe, or very near it. If the Supply be at all delay'd, it will have almoſt as ill Effect as if it were deny'd; for we may chance to be found like Archimedes, drawing Lines in the Duſt, while the Enemy is entering into our Ports. And if the further Progreſs of this Fleet be ſtopp'd for want of your Concurrence, make account all Hopes of Peace are ſtopp'd too; for tho' the Fruit of War be Peace, yet it is ſuch a Fruit as we muſt not hope to gather without our Arms in our Hands. It is not the Way to have a brave Peace, to ſhew ourſelves weary of the War: Who ever truſted in the Good-Nature of their Enemies? It is a vigorous Aſſiſtance of the Crown that muſt make not only our Arms conſiderable, but our Treaties too. On the other ſide, if the putting of ourſelves into a good Poſture of War ſhou'd produce a Peace, as poſſibly it may do; yet you will have the beſt Account of your Supply your Hearts can wiſh, for his Majeſty is content it be appropriated to the Building of more Ships: Therefore if the Diſcourſe upon this Subject be a little more preſſing than ordinary, you may be ſure the Occaſion is ſo too. There cannot be a higher Gratification of your Enemies, than to be backward in this Point; the very Opinion they have that you wou'd be ſo, hath already done us ſo much harm, that perhaps it is one great Cauſe of the Continuance of the War. Had the Enemy deſpair'd of any Diviſion here, 'tis likely his Proceedings had been more ſincere, and our Peace had not been ſo far off as now it ſeems to be. There is one Thing more the King hath mentioned to you, that is the Conſideration of the Goldſmiths, which involves

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involves so many Persons and Families, that the Concern is little less than National: It is an Affair the King lays very much to heart, and hopes a proper Time will come when a favourable Regard may be had to it.

'My Lords and Gentlemen, The King doth not only assure himself of your Affections at this Time, but from such Affections so known and so try'd as yours, he doth yet expect far greater Things than these. He doth expect that you should do your Endeavours to restore and improve the mutual Confidence between him and his People, and that you shou'd do it in such a degree that it may recover its full Strength, and quite extinguish all their Fears and Jealousies. For the King takes notice, that the Malice of his Enemies hath been very active in sowing so many Tares, as are almost enough to spoil that Harvest of Love and Duty which his Majesty may justly expect to reap from the good Seed which he himself has sown. Among the venomous Insinuations which have been used, the Fears and Jealousies of Religion and Liberty are of the worst Sort, and the most dangerous Impressions. Certainly Malice was never more busy than it hath been in these Reports, and it hath been assisted by a great deal of Invention; but it is hoped that no Man's Judgment or Affections will be either mis-led or disturb'd by such Reports. For Calumnies and Slanders of this nature are like Meteors in the Air; they may seem perhaps, especially to the Fearful, to be ill Prognosticks, and the direct Fore-runners of Mischief; but in themselves they are vain Apparitions, and have no kind of Solidity, no Permanence or Duration at all. For, after a little while, the Vapour spends itself, and then the base Exhalation quickly falls back into that Earth from whence it came. Religion and Liberty stand secured by the most sacred Ties that are; nay, the King hath a greater Interest in the Preservation of both, than you yourselves: For as Religion, the Protestant Religion, commands your indisputable Obedience, so it is a just and lawful Liberty which sweetens that Command, and endears it to you. Let other Princes therefore glory in the most resign'd Obedience of their Vassals, his Majesty values himself upon the Hearts and Affections of his People, and thinks his Throne, when seated there, better establish'd than the most exalted Sovereignty of those who tread upon the Necks of them that rise up against them. Since the World stood, never had any King so great a Cause to rest upon this Security. They were your Hearts that mourned for the Absence of the King: They were your Hearts and Affections which tir'd out all the late Usurpations, by your invincible Patience and Fortitude: It was you that taught our English World to see and know, that no Government cou'd be settled here, but upon the true Foundations of

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Honour and Allegiance. This, this alone made way for all the happy Changes which have follow'd. And yet Poſterity will have cauſe to doubt, which was the greater Felicity of the two, That Providence which reſtored the Crown, or that which ſent us ſuch a Parliament to preſerve it when it was reſtored. What may not the King now hope from you? What may not you aſſure yourſelves from him! Can any thing be difficult to Hearts ſo united, to Intereſts ſo twiſted and interwoven together, as the King's and yours are? Doubtleſs the King will ſurpaſs himſelf at this Time in endeavouring to procure the Good of the Kingdom; do but you excel yourſelves in the continual Evidences of your Affections, and then the Glory of reviving this State, will be entirely due to this Seſſion. Then they, who wait for the languiſhing and declenſion of the preſent Government, will be amazed to ſee ſo happy a Criſis, ſo bleſt a Revolution: And Ages to come will find cauſe to celebrate your Memories, as the trueſt Phyſicians, the wiſeſt Counſellors, the nobleſt Patriots, and the beſt Seſſion of the beſt Parliament, that ever King or Kingdom met with.'

Both Houſes addreſs for a Faſt.

Notwithſtanding theſe affecting Speeches, both Houſes ſoon manifeſted their Diſcontent at the Continuance of the War with Holland, at the exorbitant Power of France, the Prevalence of Popiſh Counſels, &c. which they took care to ſignify, by joining in an Addreſs to his Majeſty for a General Faſt, uſing theſe very Words: 'We your Majeſty's moſt loyal and obedient Subjects, &c. being paſſionately ſenſible of the calamitous Condition of this Kingdom, not only by reaſon of the War wherein it is at preſent involv'd, but many other inteſtine Differences and Diviſions amongſt us, which are chiefly occaſioned by the undermining Contrivances of Popiſh Recuſants, whoſe Numbers and Inſolencies are greatly of late increaſed, and whoſe reſtleſs Practices threaten a Subverſion both of Church and State; all which our Sins have juſtly deſerv'd, &c.' To which the King readily comply'd, and the 4th of February was appointed for the Day of Humiliation.

Proceedings againſt Popery.

The Houſe of Commons, proceeded with great Warmth and Vigour; and firſt agreed 'That the humble and hearty Thanks of this Houſe be return'd to his Majeſty for thoſe Acts which he had done ſince the laſt Prorogation, towards the ſuppreſſing and diſcountenancing of Popery, and for his gracious Promiſes and Aſſurances in his laſt Speech.' But when they proceeded to the Conſideration of the Speech itſelf, which they did upon the ſame Day, they ſoon came to this grand Reſolve, 'That the Houſe will, in the firſt place, proceed to have their Grievances effectually redreſs'd, the Proteſtant Religion, their Liberties and Properties effectually

Reſolutions to redreſs Grievances.

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ly ſecured, and to ſuppreſs Popery, and remove all Perſons and Counſellors popiſhly affected, or otherways obnoxious or dangerous to the Government.' Which being being done, to ſhew their further Deteſtation of Popery, they immediately order'd an Addreſs to his Majeſty, 'That the Militia of the City of London, and County of Middleſex, may be in readineſs at an Hour's Warning, and the Militia of all other Counties of England, at a Day's Warning, for ſuppreſſing of all tumultuous Inſurrections, which may be occaſion'd by Papiſts, or any other malecontented Perſons.' To which Addreſs his Majeſty made this gracious Anſwer: 'That he 'wou'd take a ſpecial Care, as well for the Preſervation 'of their Perſons, as of their Liberties and Properties.'

Addreſs to the King to raiſe the Militia.

The Houſe, in the next place, proceeded to ſtrike at three Members of the famous Cabal, which were Buckingham, Arlington and Lauderdale: They began at the laſt, and reſolved, *nemine contradicente*, 'That an Addreſs be preſented to his Majeſty to remove the Duke of Lauderdale from all his Employments, and from his Preſence and Counſels for ever, being a Perſon obnoxious and dangerous to the Government.' Soon after they debated upon ſome Heads of Accuſation againſt the Duke of Buckingham; but, while the Debate continued, a Letter was ſent from the Duke to the Speaker, requeſting to be heard before that honourable Houſe, which was granted, and he was admitted with great Ceremony on the 14th Day of January. When his Diſcourſe ſeem'd ſo looſe and uncertain, that they reſolved the next day to tye him down to ſome certain Queries, drawn up in Writing, to which he was to give diſtinct Anſwers. Accordingly the next Day he appear'd in great Splendor, and made this following Speech:

Proceedings againſt the Cabal.

'Mr Speaker, I give the Houſe my humble Thanks for the Honour you have twice done me, eſpecially expreſſing my ſelf ſo ill Yeſterday. I hope you will conſider the Condition I am in, in danger of paſſing in the Cenſure of the World for a vicious Perſon, and a Betrayer of my Country; I have ever had the misfortune to bear the Blame of other Men's Faults. I know the revealing the King's Councils, and correſponding with the King's Enemies, are laid againſt me; but I hope for your Pardon if I ſpeak Truth for my ſelf. I told you Yeſterday, if the Triple League had any Advantage in it (I ſpeak it without Vanity) I had as great a hand in it as any Man. Then, upon the Inſtance of the French Ambaſſador, I was ſent into France upon the ſad Subject of condoling the Death of Madam, where I urg'd for the Service of the King, that the French ought not to endeavour to make themſelves conſiderable at Sea, of whom we had reaſon to be more jealous than of the Dutch, becauſe the

The Duke of Buckingham's Apology for himſelf before the Houſe.

the French then wou'd have Power to conquer us. When I return'd, I found all Demonstrations that the French had no such Thoughts, but that the King of England shou'd be Master at Sea. I do not pretend to judge whether I or other Men were in the right; I leave the Judgment of that to this honourable House. At this time my Lord Shaftesbury and my self advised not to begin a War without the Advice of the Parliament, and the Affections of the People; this was my Lord Shaftesbury's Opinion and mine, but not my Lord Arlington's. My next Advice was not to make use of French Ships, half their Value in Money wou'd have been more serviceable. I alledg'd they wou'd be of no use to us, by reason of their want of Experience in our Seas, and there wou'd be great Danger in their learning the Use of them; which Advice my Lord Arlington oppos'd: notwithstanding the King was so desirous of avoiding a Breach with France, that he sent me to Dunkirk, and my Lord Arlington to Utrecht, where I still endeavour'd to get Money instead of Ships. At my first Audience, the King of France was willing to comply, but, after some Returns and Letters from hence, he was alter'd; but I make no Reflections upon Persons, but barely state Matters of Fact. Then it was my Lord Shaftesbury's Advice and mine, so to order the War, as that the French shou'd deliver us some Towns of their Conquests into our Hands; an useful Precaution in former Times. My Lord Arlington wou'd have no Towns at all for one Year; and here is the Cause of the Condition of our Affairs. We set out a Fleet with Intention to land Men in order to the taking of Towns: the French Army go on conquering and get all, and we get nothing, nor agree for any. Pray consider who it was that was so often lock'd up with the French Ambassador. My Spirit moves me to tell you, that when we were to consider what to do, we were to advise with the French Ambassador. I will not trouble you with Reports; but pray look not upon me as a Peer, but an honest English Gentleman, who has suffer'd much for my Love to my Country. I had a Regiment given me, which was Sir Edward Scott's; I gave him sixteen Hundred Pound for it: There is no Papist Officer in it, nor Irish Man. I shall say nothing of my extraordinary Gains, I am sure I have lost as much Estate as some Men have gotten, and that is a big Word! I am honest, and, when I appear otherwise, I desire to die. I am not the Man that has gotten by all this; yet after all this I am a Grievance: I am the cheapest Grievance this House ever had; and so I humbly ask the Pardon of the House for the Trouble I have given.

Anno 26 Car. II. 1674.

Anno 25 Car. II. 1673-4.

The Speaker then proceeded to ask the Duke the following Queſtions by Order of the Houſe, to each of which his Grace gave an Anſwer. 1. Whether any Perſons declared to your Grace any ill Advices or Purpoſes againſt the Liberties and Privileges of this Houſe, or to alter the Government? Who they were, and what they advis'd? *A.* 'There is an old Proverb, Mr Speaker, Over Shoes over Boots. This reflects upon one that is now living, and ſo I deſire pardon for ſaying any thing farther, fearing it may be thought a malicious Invention of mine, the Perſon being dead. I have ſaid nothing yet but what I can juſtify, but this I cannot.' 2. Some Words fell from your Grace yeſterday, wherein you were pleas'd to ſay you had gotten nothing, but others had gotten three, four or five Hundred Thouſand Pounds: Who were they that had gotten it, and by what Means? *A.* 'I am not well acquainted by what means he got ſo much, being not at all acquainted with the Ways of getting Money. What the Duke of Ormond has got is upon Record, being about five hundred Thouſand Pounds; my Lord Arlington has not got ſo much, but he has got a great deal.' 3. By whoſe Advice was the Army rais'd, and Monſieur Schomberg made General? *A.* 'I cannot ſay by whoſe Advice, but upon my Honour, not by mine. I was told by a Man that's dead, that my Lord Arlington ſent for him, and it will be eaſily prov'd.' 4. By whoſe Advice was this Army brought up to awe the Debates and Reſolutions of the Houſe of Commons? *A.* 'I muſt make to this the ſame Anſwer as I did before; it was a Diſcourſe from a Man dead to one now living. If I had deſerved the Honour, I think I might have had the Command of that Army before him; but Schomberg was told my Lord Arlington would have the Government by an Army.' 5. Who made the Triple Alliance? *A.* 'My Lord Arlington and my ſelf were only employ'd to treat; and, finding the Danger we were in of being cheated, we preſs'd the Ambaſſadors to ſign before they had Power; and, tho' it was an odd Requeſt, yet they did ſign.' 6. Who made the firſt Treaty with France, by which the Triple Alliance was broken? *A.* 'I made that Treaty.' 7. By whoſe Advice was the Exchequer ſhut up, and the Order of Payment there broken? *A.* 'I was not the Adviſer; I am ſure I loſt three Thouſand Pound by it.' 8. Who advis'd the Declaration in Matters of Religion? *A.* 'I do not diſown that I advis'd it; being always of Opinion that ſomething was to be done in that nature in Matters of Conſcience, but no further than the King might do by Law.' 9. Who advis'd the attacking the Smyrna Fleet before the War was proclaim'd? *A.* 'It was my Lord Arlington's Advice; I was utterly againſt it, as careful of the Honour of the Nation,

His Anſwers to their Queries.

Nation, and incurr'd some Anger by it. My Lord Arlington principally moved it, and I might say more.' 10. By whose Advice was the second Treaty at Utrecht? *A.* 'My Lord Arlington and I were sent over, and I found in Holland the greatest Consternation imaginable, like the burning of the Rump in England, the People crying, God bless the King of England! and cursing the States; and, had we then landed, we might have conquered the Country. The Prince of Orange would have had the same Share in the Peace with France that we had, but tho' the King's Nephew, I thought he must be kind to his own Country. If we had made Peace then, we had been in a worse Condition than before; and lastly, the Prince of Orange hoped for a good Peace with us upon that Treaty; but I never could consent that France must have all, and we nothing. The Consequence wou'd be, that Holland must entirely depend upon France; and I think it a wise Article, that the French were not to make Peace without us.' 11. By what Counsel was the War begun without the Parliament, and thereupon the Parliament prorogu'd? *A.* 'My Lord Shaftesbury and I were for advising with the Parliament, and averse to the Prorogation. I can say nothing, but I believe the Parliament will never be against a War for the Good of England.' 12. By whose Advice was the Parliament prorogu'd the 4th of November last? *A.* ——

Anno 25 Car. II. 1673-4.

The House was so little satisfy'd with the Duke's Speech, and his several Answers, that, upon a further Debate, they came to this Resolution, 'That an Address be presented to his Majesty, to remove the said Duke of Buckingham from all his Employments that are held during his Majesty's Pleasure, and from his Presence and Councils for ever.' The next Day they enter'd upon a Debate about the Earl of Arlington, who, at his own Request, was likewise admitted to be heard in the House. In making of his Defence, he answered some Parts of the Duke of Buckingham's Speeches, and fairly gave the Honour of the Triple Alliance to Sir William Temple. But he was so far from giving Satisfaction to the House as to his own Conduct, that they presently drew up Articles of Impeachment against him, under this Title; Articles of treasonable and other Crimes of high Misdemeanor against the Earl of Arlington, Principal Secretary of State, viz.

Their Vote against him.

'I. The said Earl hath been a constant and vehement Promoter of Popery, and Popish Counsels. 1. By procuring Commissions for all the Papists lately in Command, who made their Application to him only, as a known Favourer of that Faction; there being not one Commission sign'd by the other Secretary, many of which Commissions were procured and sign'd by him since the several Addresses of the

Their Articles of Impeachment against the Earl of Arlington.

The 28th of K. 2. two Houſes of Parliament to his Majeſty, and the paſſing 1673-4. the late Act againſt Popery. 2. By procuring his Majeſty's Letter, commanding Iriſh Papiſts and Rebels to be let into Corporations, and admitted into the Commiſſions of the Peace, and other Offices of Truſt, Military and Civil, contrary to the eſtabliſh'd Laws and Conſtitutions of that Realm, to the great Terror of the King's Proteſtant Subjects there. 3. By not only ſetting up and ſupporting the aforeſaid Papiſts there, but bringing the moſt violent and fierceſt of them to command Companies and Regiments of the King's Engliſh Subjects there, to the great Diſhonour and Danger of this Kingdom. 4. By openly and avowedly entertaining and lodging in his Family a Popiſh Prieſt, contrary to the known Laws of the Land; which ſaid Prieſt was a noted Collector and Promoter of the Popiſh Faction, and hath ſince fled out of this Kingdom. 5. By procuring Penſions in other Mens Names for Popiſh Officers, contrary to, and in illuſion of, the late Act of Parliament. 6. By obtaining Grants of conſiderable Sums of Money to be charg'd upon the Revenue of Ireland, for the moſt violent and pernicious Papiſts there; particularly two thouſand Pounds for one Colonel *Fitz-Patrick*, a notorious Iriſh Rebel, whoſe Mother was hang'd in the late Wars for murthering ſeveral Engliſh, and making Candles of their Fat; this Grant being procured for the ſaid *Fitz-Patrick*, at a time when he was accus'd to the ſaid Lord Arlington of high Crimes by the now Lord Lieutenant of Ireland. 7. By procuring his Majeſty to releaſe to ſeveral Iriſh Papiſts, ſome whereof were deeply engag'd in the horrid Rebellion of that Kingdom, the Chiefries, or Head-Rents reſerv'd to the Crown, out of the forfeited Eſtates of Papiſts there, being a principal Part of his Majeſty's Revenue in that Kingdom.

'II. That the ſaid Earl hath been guilty of many undue Practices to promote his own Greatneſs, and hath embezzelled and waſted the Treaſure of this Nation; 1. By procuring vaſt and exorbitant Grants for himſelf, both in England and Ireland, breaking into the Settlement of that Kingdom, and diſpoſſeſſing ſeveral of the Engliſh Adventurers and Soldiers of the Proprieties and Free-Holds in which they were duly, and legally ſtated, without any Colour of Reaſon, or Suggeſtion of Right. 2. By charging exceſſive, and almoſt incredible Sums for falſe and deceitful Intelligence. 3. By procuring his Majeſty's Hand for the giving away, from his firſt Entrance into his Office, the Value of three Millions of Sterling Money at the leaſt; the ſeveral Grants whereof are extant, counterſign'd by him, and by him only. 4. That the ſaid Earl, preſuming to trample upon all Eſtates and Degrees of the Subjects of

this

this Realm, the better to ſubdue them to his Will and Pleaſure, hath cauſelesly and illegally impriſon'd many of his Majeſty's Subjects. 5. That he did procure a Principal Peer of the Realm to be unjuſtly impriſon'd, and to be proclaim'd Traytor, without any legal Proceeding or Tryal, and did maliciouſly ſuborn falſe Witneſſes with Money to take away his Life, upon pretence of treaſonable Words.

'III. That the ſaid Earl hath falſly and traitorouſly betray'd the great Truſt repos'd in him by his Majeſty, as Counſellor and Principal Secretary of State. 1. By entertaining a more than uſual Intimacy with the French Ambaſſador, not only lodging him in his Houſe, but letting him into the King's moſt ſecret Counſels. 2. By altering in private, and ſingly by himſelf, ſeveral ſolemn Determinations of his Majeſty's Council. 3. By procuring a Stranger to have the chief Command of the late rais'd Army, for the Invaſion of Holland, to the great Diſhonour and Diſcouragement of all the legal Nobility and Gentry of this Nation. 4. By adviſing his Majeſty to admit of a Squadron of French Ships to be join'd with our Engliſh Fleet, (the ſad Conſequence whereof we have ſince felt) notwithſtanding the King of France had agreed to ſend a Supply of Men, in order to have the Fleet wholly Engliſh. 5. Whereas the King was adviſ'd by ſeveral of the Counſellors to preſs the French King to deſiſt from making any farther Progreſs in the Conqueſt of the Inland-Towns of Holland, whereof England was to have no Benefit, and to turn his Army upon thoſe Maritime-Towns that were by the Treaty to be ours: his Lordſhip gave the King Council to deſiſt, whereby that Part of our Expectation was wholly fruſtrated. 6. Whereas the King was adviſ'd by ſeveral of his Council not to enter into this War, till his Majeſty was out of debt, and had adviſ'd with his Parliament; his Lordſhip was of Opinion to the contrary, and gave his Advice accordingly. 7. When the French Ships were diſpers'd after the late Fight at Sea, and had loſt all their Anchors and Cables by reaſon of the foul Weather that then enſu'd, he perſuaded his Majeſty to ſend them eighty Cables and Anchors, although it was then objected, and he knew it to be true, That his Majeſty had not at that time any more in his Stores to ſupply his own Ships in caſe of the like Neceſſity. 8. He hath traitorouſly correſponded with the King's Enemies beyond the Seas, and contrary to the Truſt repos'd in him, hath given Intelligence to them.

The Houſes next proceeded to prepare a ſevere Bill, *for a general Teſt, to diſtinguiſh between Proteſtants and Papiſts, and to prevent the Danger and further Growth of Popery, and for a more eaſy and ſpeedy Conviction of Popiſh Recuſants; and thoſe that*

Anno 26 Car. II. 1673-4.

A new Test against Popery.

that shall refuse to take it, be made incapable to enjoy any Office, Military or Civil, to sit in either House of Parliament, or to come within five Miles of the Court. The Test itself was in these Words: I *A. B.* do solemnly from my Heart, and in the Presence of Almighty God, profess, testify, and declare, That I do not believe in my Conscience that the Church of Rome is the only Catholic and Universal Church of Christ, out of which there is no Salvation; Or that the Pope hath any Jurisdiction or Supremacy over the Catholic Church in general, or over myself in particular, or that it belongs to the said Church of Rome alone to judge of the true Sense and Interpretation of the Holy Scriptures; Or that in the Holy Sacrament of the Eucharist, there is made a perfect Change of the whole Substance of the Bread into Christ's Body, or of the whole Substance of the Wine into Christ's Blood, which Change the said Church of Rome calleth Transubstantiation; Or that the Virgin Mary, or any other Saint, ought to be worshipped, or pray'd unto: And all these aforesaid Doctrines and Positions, I do renounce and disclaim, as False and Erroneous, and contrary to God's Word, and the Christian Religion.

While the House was thus employ'd, on the 24th Day of January, the King came to the House of Peers, and sending for the Commons, he made this significant Speech:

The King's Speech concerning certain Proposals for a Peace.

My Lords and Gentlemen,

'AT the beginning of this Session I told you, as I thought I had reason to do, That the States-General had not yet made me any Proposals which could be imagin'd with Intent to conclude, but only to amuse. To avoid this Imputation, they have now sent me a Letter by the Spanish Ambassador, offering me some Terms of Peace, upon Conditions formally drawn up, and in a more decent Style than before. It is upon this, that I desire your speedy Advice: for, if you shall find the Terms such as may be embraced, your Advice will have great weight with Me; and if you find them defective, I hope you will give me your Advice and Assurance how to get better Terms. Upon the whole matter I doubt not but you will take care of my Honour, and the Honour and Safety of the Nation, which are now so deeply concern'd.'

With this Speech, the King deliver'd to the two Houses Copies of the Memorial from the Spanish Ambassador, together with Proposals from the Dutch in order to a Treaty. Upon the reading of which, and the Dutch Proposals in the House of Commons, they voted their humble and hearty Thanks to be return'd to his Majesty for his most gracious Speech;

Thanks voted, &c.

Speech; and immediately after they resolv'd, 'That, upon Consideration had upon his Majesty's said gracious Speech, and the Proposals of the States-General of the United-Provinces, this House is of Opinion, That his Majesty be humbly advis'd to proceed in a Treaty with the States-General, in order to a speedy Peace.' The Lords also joining in the same Resolution of Advice, it was solemnly presented to his Majesty, who return'd this Answer; 'My Lords and Gentlemen, I cannot better thank you for your Advice than by 'following it; which I shall endeavour, and doubt not of 'your Assistance to enable me to perform it.'

Anne 25 Car. II. 1673-4.

The King's Answer.

After this, the House, on the 7th of February, went into a Committee of the whole House, to take into their Consideration the Grievances of the Nation, in which they particularly resolv'd, 'That the Continuance of any Standing-Forces in this Nation, other than the Militia, is a great Grievance and Vexation to the People; and it is the humble Petition and Address of this House to his Majesty, That he will immediately cause to be disbanded that Part of them that were rais'd since the 1st Day of January, 1663.' This Matter gradually led them into an uncommon Debate concerning the King's Guards, which had been establish'd soon after the Restoration; and these following Reasons were given in, for disbanding the Horse and Foot-Guards, commonly call'd the King's Life-Guard. 1. 'That, according to the Laws of the Land, the King hath no Guards but those called Gentlemen-Pensioners, and Yeomen of the Guard. 2. That ever since this Parliament, although there have been so many Sessions, they never settled the Life-Guard by Act of Parliament; nay, they have been so far from it, that, whensoever they have been so much as mention'd in the House of Commons, they would never in the least take any favourable Notice of them, always looking upon them, as a Number of Men unlawfully assembled, and in no respect fit to be the least countenanc'd by the Parliament of England. 3. That they are of vast Charge to the King and Kingdom. 4. That they are altogether useless to this Kingdom, as doth plainly appear by his Majesty's most happy and peaceable Reign since his blessed Restoration; there being so much real and mutual Love, Confidence and Trust between his Majesty and his good People, which is daily manifested by his Majesty's frequent trusting and exposing his Sacred Person to his People without a Guard. 5. That Guards, or Standing-Armies, are only in use where Princes govern more by Fear, than by Love, as in France, where the Government is arbitrary. 6. That this Life-Guard is a Standing-Army in disguise, and that as long as they continue, the Roots of a Standing-Army will remain amongst

Resolution concerning Grievances.

Reasons against the King's Guards.

amongst us; and therefore it is impossible effectually to deliver this Nation from a standing Army, till these Guards are pull'd up by the Roots. 7. That the Life-Guard is a Place of Refuge and Retreat for Papists and Men popishly affected, and a School and Nursery for Men of debauched and arbitrary Principles, and Favourers of the French Government, as did too plainly appear in the Case of Sir John Coventry. 8. That if the Life-Guard were disbanded, the King wou'd thereby save some hundred thousands of Pounds *per Annum*; which wou'd in a few Years enable him to pay all his Debts, without burdening his good People with any further Taxes to that End.'

On the 11th Day of February, the King came to the House of Peers, and sending for the Commons, made this Speech to both Houses:

The King's Speech to both Houses, on the Conclusion of the Peace with Holland.

'My Lords and Gentlemen,

'IN pursuance of your Advice, I have made a speedy, an honourable, and I hope a lasting Peace with the Dutch. As to your Address for the disbanding of the Forces, I have, since the Peace made with the Dutch, given Orders for disbanding them; nay, I have order'd to disband more than you desired. As for your Address about the Irish Regiments, I have order'd to send them back into Ireland. But I must needs acquaint you, That there is a great want of Capital Ships, and I wou'd be glad to be equal in Number with my Neighbours, and I hope I shall have your Assistance upon so good an Occasion, to preserve the Honour and Safety of this Nation.'

Thanks return'd.

This Speech produc'd an Immediate Resolution, That the humble and hearty Thanks of their House be return'd to his Majesty for his making a speedy Peace, and for his gracious Answers to the Addresses of their House concerning the standing Forces.

Further Proceedings.

After which, they proceeded to the further Consideration of the Grievances of the Nation, and particularly voted, 'That a Committee be appointed to inspect the Laws lately made in Scotland, whereby an Army is authoriz'd to march into England, or Ireland; and peruse such other Laws as do tend to the Breach of the Union of the two Nations.' They likewise in a grand Committee, shortly after took into their Consideration the State and Condition of the Kingdom of Ireland, and resolv'd, 'That a Committee be appointed to inspect the State and Condition of that Kingdom; and more especially to consider of the State of Religion; and the Militia, and the Forces of that Kingdom, and examine the Matters of Fact relating thereunto.' About the same time,

Time, when they were upon the Topic of Grievances, they appointed another Committee To inspect the Laws, and to consider how the King may commit any Subject by his Immediate Warrant, as the Law now stands, and to report their Opinions: And further, they were order'd to consider how the Law now stands touching the Committing of Persons by the Council-Table, and to report the same. Upon which Occasion, they brought in a particular Bill concerning Writs of Habeas Corpus, a Bill much for the Liberty of the Subject, which was read three times, and pass'd. They likewise order'd a Bill to be brought in, For a Test to be taken by the Members of both Houses. But on the 14th Day of February the King came to the House of Peers, where sending for the Commons, he made this following Speech to both Houses: Anno 24 Car. II. 1672. The Habeas Corpus Bill pass'd.

'My Lords and Gentlemen,

'WHen I was here last, I told you the Peace was sign'd; I am now come to tell you it is ratify'd; and I hope it will prove a happy and lasting Peace to both Nations. This, and the Spring coming on so fast, it will be convenient for you to be in your Countries, both for your own Business and mine. And I therefore think fit to make a Recess at this Time, the Winter being more convenient for Business. In the mean time, I will do my Endeavour to satisfy the World of my Stedfastness for the securing the Protestant Religion, as it is now establish'd, and your Properties; and I desire that you, in your several Countries, will endeavour to satisfy the People therewith. I have no more to say at this time, but that I have commanded my Lord-Keeper to prorogue the Parliament to the tenth of November next.' The King's Speech at the Prorogation.

And accordingly the Lord-Keeper prorogu'd both Houses to that time.

On the 13th Day of April both Houses of Parliament met at Westminster, according to a subsequent Prorogation, after a Recess of almost fourteen Months. When the King open'd the Session with the following Speech from the Throne to both Houses: The fourteenth Session of the Second Parliament.

'My Lords and Gentlemen,

'THE principal End of my calling of you now, is to know what you think may be yet wanting to the Security of Religion and Property, and to give myself the Satisfaction of having used the utmost of my Endeavours to procure and settle a right and lasting Understanding between us: For I must tell you, I find the contrary so much 'labour'd, The King's Speech to both Houses.

Anno 27 Car. II. 1675.

'labour'd, and that the pernicious Designs of ill Men have taken so much place under specious Pretences, that it is high time to be watchful in preventing their Contrivances; of which this is not the least, That they wou'd, by all means they can advise, make it unpracticable any longer to continue this present Parliament. For that reason, I confess, I cannot think such have any good Meaning to Me: And therefore when I consider how much the greatest part of this Parliament has either Themselves or Fathers given me Testimonies of their Affections and Loyalty, I shou'd be extreme loth to oblige those Enemies, by parting with such Friends: And they may be assur'd, That none shall be able to recommend themselves to Me by any other Way, than their good Services. I have done as much on my part as was possible, to extinguish the Fears and Jealousies of Popery; and will leave nothing undone that may shew the World my Zeal to the Protestant Religion, as it is establish'd in the Church of England, from which I will never depart.

'I must needs recommend to you the Condition of the Fleet, which I am not able to put into that Estate it ought to be, and which will require so much Time to repair and build, that I shou'd be sorry to see the Summer (and consequently a whole Year) lost, without providing for it. The Season of the Year will not permit any long Session; nor wou'd I have call'd you now, but in hopes to do something that may give Content to all my Subjects, and to lay before you the Consideration of the Fleet; for I intend to meet you again in Winter. In the mean time, I earnestly recommend to you all, such a Temper and Moderation in your Proceedings, as may tend to unite us all in Council and Affections, and disappoint the Expectations of those, who can hope only, by violent and irregular Motions, to prevent the bringing this Session to a happy Conclusion. The rest I leave to my Lord-Keeper.'

The Lord Keeper Finch's Speech.

Accordingly the Lord-Keeper proceeded thus; 'My Lords, &c. The Solemnity of this Day's appearance is equal to the Weight and Importance of the Occasion: The Matters to be treated of, deserve no less than an Assembly of the Three Estates, and a full Concourse of all the Wise and Excellent Persons who bear a Part in this great Council, and do constitute and compleat this high and honourable Court.—His Majesty begins with the Consideration of Religion; He sees it is the first Thing in all your Thoughts, and you cannot but see that it hath been, and is still, the first and principal part of his Care. He hath also

considered

conſidered Religion, firſt in general, as it is Proteſtant, and ſtands in oppoſition to Popery: And upon that account it is that he hath awaken'd all the Volumes of our Laws againſt the Papiſts: There is not one Statute extant in all the Volumes of our Laws, but his Majeſty hath now put in a way of taking its full Courſe againſt them. And upon this account alſo it is, That in a League lately renew'd with a Proteſtant Crown, his Majeſty hath made it one Article of that League, that there ſhall be a mutual Defence of the Proteſtant Religion. His Majeſty hath conſider'd Religion again more particularly, as it is the Proteſtant Religion eſtabliſh'd by Law in the Church of England; He ſees that, as ſuch, it is not only beſt ſuited to the Monarchy, and moſt likely to defend it, but moſt able to defend itſelf againſt the Enemies of all Reformation: And therefore upon this account it is that his Majeſty, with equal and impartial Juſtice, hath revived all the Laws againſt Diſſenters and Nonconformiſts; but not with equal Severity: For the Laws againſt the Papiſts are edg'd, and the Execution of them quicken'd by new Rewards propos'd to the Informers: Thoſe againſt Diſſenters are left to that Strength which they have already. Both theſe, and all other Laws whatſoever, are always underſtood to be ſubject to the Pleaſure of a Parliament, which may alter, amend, or explain them as they ſee cauſe, and according with publick Convenience. For when we conſider Religion in Parliament, we are ſuppos'd to conſider it as a Parliament ſhou'd do, and as Parliaments in all Ages have done; That is, as it is a Part of our Laws, a Part, and a neceſſary Part of our Government. For as it works upon the Conſcience, as it is an inward Principle of the Divine Life by which good Men do govern all their Actions, the State has nothing to do with it, 'tis a thing which belongs to another Kind of Commiſſion than that by which we ſit here.——

'In the next place, the King hath thought fit to direct your Conſiderations upon the Safety and Honour of the State; both which are then beſt provided for, when we keep up the Strength and Reputation of our Fleet. It is not altogether the natural Decay of Shipping, no nor the Accidents of War, that have leſſen'd our Fleet, tho' ſomething may be attributed to both theſe; but our Fleet ſeems rather to be weakened for the preſent, by being out-grown and out-built by our Neighbours.' Then proceeding to diſcourſe of the Laws in general, he told them, 'In making of Laws therefore it will import us to conſider, That too many Laws are a Snare, too few are a Weakneſs in the Government; too gentle are ſeldom obey'd, too ſevere are as ſeldom executed; and Sanguinary Laws are for the moſt part either the Cauſe or the Effect of a Diſtemper in the State. To eſtabliſh

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this State there ſeems not to need many Laws; ſome will always be wanting; And tho' all that is wanting [illegible] not now be finiſh'd, yet whatever ſhall remain [illegible] finiſh'd may be perfected in Winter, at which [illegible] we have a gracious Intimation from his Majeſty, [illegible] we ſhall meet again. Then, ſpeaking of the preſent Happineſs of the Nation, he proceeded thus: 'We are newly gotten out of an expenſive War, and upon Terms more honourable than ever. The whole World is now in Peace with us; all Ports are open to us, and we exerciſe a free and uninterrupted Traffic through the Ocean: And we are reaping the Fruits of all this Peace by a daily Improvement of our Trade, and the Encreaſe of our Shipping and Navigation. Our Conſtitution ſeems to be ſo vigorous and ſtrong that nothing can diſorder it, but ourſelves. No Influence of the Stars, no Configurations of the Heavens are to be fear'd, ſo long as theſe two Houſes ſtand in a good Diſpoſition to each other, and both of them in a happy Conjunction with their Lord and Sovereign. Why ſhou'd we doubt it? Never was Diſcord more unſeaſonable. A Difference in Matters of the Church wou'd gratify the Enemies of our Religion, and do them more Service than the beſt of their Auxiliaries. A Difference in Matters of State wou'd gratify our Enemies too, the Enemies of our Peace, the Enemies of this Parliament, that hope to ſee, and practiſe to bring about, Revolutions in the Government. They well underſtand, That the beſt Health may be deſtroy'd by too much Care of it; an anxious, ſcrupulous Care, a Care that is always tampering; a Care that labours ſo long to purge all ill Humours out of the Body, that at laſt it leaves neither good Blood nor Spirits behind. In like manner there are two Symptoms which are dangerous in every State, and of which the Hiſtorian hath long ſince given us Warning: One is when Men do *Quieta movere*; when they ſtir thoſe Things or Queſtions which are, and ought to be in Peace; and, like unskilful Architects, think to mend the Building by removing all the Materials which are not plac'd as they wou'd have them. Another is, *Cum Res parvæ magnis motibus agitantur*. When Things, not of the greateſt Moment, are agitated with greateſt Heat; and as much Weight is laid upon a new and not always very neceſſary Propoſition, as if the whole Sum of Affairs depended upon it.——

'My Lords and Gentlemen, The King is far, infinitely far, from fearing any Exceſs of this kind here; He knows too well the Wiſdom, the Honour, and the Loyalty of this great Aſſembly, to apprehend any kind of Error either in your Judgments, or your Affections. He does not only find himſelf ſafe, but he thinks himſelf arm'd too, while he is attended with ſuch a Nobility, ſuch a Gentry as this. You

that were able to raiſe the King's Affairs, when they were in the loweſt and moſt deplor'd Condition, will ſurely be able to keep them from any Relapſe. You that were able to make this Government take root again, will ſurely be able to preſerve it in a growing and flouriſhing Eſtate. Such Pilots need not fear a Storm! If you could, this Conſideration alone were enough to ſupport you, *That you carry Cæſar and his Fortunes*; you ſerve a Prince in whoſe Preſervation Miracles are become familiar; a Prince in whoſe Style *Dei Gratiâ* ſeems not to be written by a vulgar Pen; but by the Arm of Omnipotence itſelf. Raiſe up then, by your Example, the Hearts and Hopes of all thoſe whom ill Men have wrought upon to ſuch a degree, as to caſt them into a Sadneſs, and into a Deſpondency, which is moſt unreaſonable. What the Romans ſcorn'd to do after the Battle of *Cannæ*, what the Venetians never did when they had loſt all their *Terra Firma*; That Men are now taught to think a Virtue, and the Sign of a wiſe and good Man, *Deſperare de Republicâ*. And all this in a time of as much Juſtice and Peace at home; As good Laws for the Security of Religion and Liberty; As good Execution of thoſe Laws; As great Plenty of Trade and Commerce abroad, and as likely a Conjuncture of Affairs for the Continuance of theſe Bleſſings to us, as ever Nation proſper'd under. Confirm the Faith then of thoſe that are made weak, by ſhewing them the Stedfaſtneſs of your Belief; give the King the Hearts of all his Subjects, by making him a Preſent of yours. Then will the King eſteem himſelf a richer Prince than if he were poſſeſs'd of all the Treaſures of the Eaſt: Then, tho' this Seſſion ſhould cloſe in a few Weeks, yet it may be perpetual for the Fruit it ſhall produce, and for the Commemoration that will follow it. Then will this Year be a true Year of Jubilee; and we ſhall have nothing to wiſh or pray for in this World, but the bleſſed Continuance of his Majeſty's long and happy Reign over us.

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The firſt Step the Houſe took after this, was to vote, 'Their humble and hearty Thanks to his Majeſty for his gracious Promiſes and Aſſurances, explain'd in his ſaid Speech, to preſerve and maintain us in the Eſtabliſh'd Religion, and our Properties according to Law, and for Calling us together at this time for that purpoſe.' Which being preſented to the King in a full Body in the Banqueting-Houſe, his Majeſty return'd this gracious Anſwer, 'That he had a great 'Confidence in his Houſe of Commons; and that the 'ſaid Houſe may be confident that he would always preſerve 'them in the Eſtabliſh'd Religion, and in their Liberties and 'Properties.' This did not hinder them however from an immediate Proceeding to a new Bill againſt the Growth of Popery;

The Commons Addreſs.

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Their Reſolves againſt Popery.

pery; in debating of which they came to theſe three Reſolves. 1. 'That in the Bill there be inſerted a Clauſe for Payment of a conſiderable Reward to any Perſon that ſhall diſcover any Popiſh Prieſt, who, upon Trial, ſhall be prov'd to be ſo, to be paid by the Perſon to whom he ſhall be prov'd to have ſaid Maſs, or by ſuch as have wittingly receiv'd, ſuccour'd or entertain'd ſuch Popiſh Prieſt. 2. That he ſhall be eſteem'd to be a Popiſh Prieſt, who ſhall be prov'd to have ſaid Maſs, or officiated either in this Realm, or in any foreign Country, in the manner of a Prieſt, according to the Uſage of the See of Rome, if ſuch Prieſt be not reconciled to the Church of England; and that theſe Votes ſhall not prejudice the Laws now in being concerning Popiſh Prieſts. 3. That Penalties be laid on all that are prov'd to have remain'd with any ſuch Popiſh Prieſt, when he ſhall be ſaying Maſs, or officiating in the Manner of a Prieſt, according to the Uſage of the See of Rome.' Shortly after, they added two Reſolves more, *viz.* 1. 'That a Clauſe be inſerted into the Bill, to regulate and reſtrain Mr. Attorney-General to enter any *Noli proſequi*. 2. That another Clauſe be inſerted for the more effectual Proſecution, and Levying of Penalties upon Popiſh Recuſants.

After they had ſhewn their Diſlike and Reſentment againſt the Papiſts and their Proceedings, they reſolv'd to take notice of the Duke of Lauderdale, the only remaining Perſon in Favour, of the late Cabal. And to compleat their Accuſation againſt him, they had the Teſtimony of Dr. Gilbert Burnet, an eminent Scotiſh Divine, who had formerly been intimate with his Grace, but, for good Reaſons, had alter'd his Opinion of him, and his Actions. What he teſtify'd againſt this Miniſter was, 'That, coming into England, the firſt Saturday in September 1673, he went to viſit the Duke of Lauderdale in his Lodgings in Whitehall, where the Duke and he diſcours'd of the Affairs of England and Scotland, and particularly of the Proceedings of Parliament concerning the Declaration for ſuſpending Penal Laws in Matters Eccleſiaſtical: And being afterwards aſk'd, *whether, if Scotland being call'd to aſſiſt the King, they would aſſiſt him or not*, he anſwer'd, *he thought they would not*; but the Duke reply'd, *He believ'd they would, and that his coming into England would bring a great many.* That the Duke asking him of the Affairs of Scotland, he anſwer'd, *The People in Scotland that were at ſuch a diſtance, could not imagine what to think of the King's Speech and Declaration.* Whereunto the Duke reply'd, *Hinc illæ Lachrymæ! and that all had forſaken the King but himſelf and the Lord Clifford.*

Dr. Burnet's Information againſt the Duke of Lauderdale.

Upon which, and other Informations, the Commons drew up a particular Addreſs againſt him to the King, which, after

after the Preamble, runs thus: 'Yet we find, upon ſerious Examination of the State of this Kingdom, That there is a great Jealouſy ariſen from ſome late Proceedings in the Hearts of your Subjects, That ſome Perſons, in great Employment under your Majeſty have fomented Deſigns contrary to the Intereſt both of your Majeſty and your People, intending to deprive us of our ancient Rights and Liberties, &c. Among thoſe who are at preſent employ'd under your Majeſty, we have juſt Cauſe to accuſe for a Promoter of ſuch Deſigns the Duke of Lauderdale, lately created Earl of Guilford, becauſe we have heard it teſtify'd in our Houſe by ſeveral of our own Members, That, in the Hearing before the Council of the Caſe of Mr. Whaley, who had committed Mr. James, contrary to your Majeſty's Declaration of the 15th of March, 1671, He the ſaid Duke of Lauderdale did openly affirm, in the Preſence of your Majeſty ſitting in Council, and before divers of your Subjects attending there, *That your Majeſty's Edicts ought to be obey'd; for your Edicts are equal with Laws, and ought to be obey'd in the firſt place;* thereby, as much as in him lay, juſtifying the ſaid Declaration, and the Proceedings thereupon, and declaring his Inclinations to arbitrary Councils, in Terror of your good People. And we are farther confirm'd in this Opinion by late Acts of Parliament of a very ſtrange and dangerous Nature, which we have obſerv'd amongſt the printed Statutes of your Kingdom of Scotland; the firſt whereof was in the Third Seſſion of the Firſt Parliament held there under your Majeſty, Cap. 25. and the other in your Majeſty's ſecond Parliament, Cap. 2. the like whereof was never paſt ſince the Union of the two Kingdoms, and are directly contrary to the Intention of an Act paſt here in the fourth Year of the Reign of King James, *For the utter Abolition of all Memory of Hoſtility, and the Dependencies thereof between England and Scotland, and for the Repreſſing of Occaſions of Diſcords and Diſorders in Time to come*; and of a like Act paſt about the ſame time in the Kingdom of Scotland. By force of which ſaid late Acts, there is a Militia ſettled in that Kingdom of twenty thouſand Foot and two thouſand Horſe, who are oblig'd to be in a Readineſs to march into any Part of this Kingdom, for any Service wherein your Majeſty's Honour, Authority and Greatneſs may be concern'd; and are to obey ſuch Orders and Directions as they ſhall, from time to time, receive from the Privy-Council there. By colour of which general Words we conceive this Realm may be liable to be invaded under any Pretence whatſoever; and this hath been done, as we apprehend, principally by the Procurement of the ſaid Duke of Lauderdale; he having, all the

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The Commons Addreſs againſt the Duke of Lauderdale.

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the time of these Transactions, been principal Secretary of the said Kingdom, and chiefly entrusted with the Administration of Affairs of State there, and himself Commissioner for holding the Parliament at the time of passing the said of the said Acts, whereby the providing of the said Horse and Foot is effectually impos'd upon the said Kingdom, and that extraordinary Power vested in the Privy-Council there. And we conceive we have just Reason to apprehend the Consequences of so great and unusual a Power; especially when the Affairs of that Kingdom are manag'd by the said Duke, who hath manifested himself a Person of such pernicious Principles. We do therefore, in all Humility implore your sacred Majesty, considering how universal a Fame and Clamour of the said Misdemeanors runneth openly throughout this your Realm, that for the Ease of the Hearts of your People, who are possess'd with extraordinary Grief and Sorrow to see your Majesty thus abus'd, and the Kingdom endanger'd, your Majesty wou'd graciously be pleas'd to remove the said Duke of Lauderdale from all his Employments, and from your Majesty's Presence and Councils for ever, as being a Person obnoxious and dangerous to the Government.'

The King's Answer.

After some Time of Consideration, the King return'd the following Answer to the House of Commons in Writing: 'His Majesty hath consider'd of the Address against the Duke of Lauderdale, and the Reasons accompanying it; As to the Acts of Parliament mention'd to have been pass'd in Scotland, his Majesty observes that the first of those Acts was in the Year 1663, which was long before the Duke of Lauderdale was his Majesty's Commissioner in that Kingdom; and the latter was in pursuance of the former. And as to the Words, by the Time of Mr. Whaley's Cause, his Majesty perceiving, that, if they have been spoken, they must have been spoken before the last *Act of General Pardon*: And his Majesty being sensible how great a Satisfaction and Security, the inviolable Preservation of the former *Act of Indemnity and Oblivion* hath been to all his Subjects; cannot but apprehend the dangerous Consequences of enquiring into any thing that hath been pardoned by any Act of General Pardon; lest the Example might give Men cause to fear their Security under the Act of Oblivion.' This Answer was so little satisfactory to the Commons, that they afterwards resolv'd to draw up another Address against the Duke; but that, as well as many other Matters, proved abortive.

Proceedings against Lord Danby.

The House proceeded to take the Lord Treasurer Danby's Conduct into Consideration, against whom they prepar'd the following

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Articles against the Earl of Danby.

following Articles. I. 'That the Earl had overthrown the ancient Course and Constitution of the Exchequer, by perverting the Method of Receipts, in Payments and Accounts contrary to Law; whereby the King's Revenue is put into Confusion and a wastful Way of Expence, to the destruction of his Credit, and exposing his Treasure to private Bargains and Corruptions; and had engross'd to himself the Power of disposing all the King's Revenues; laying aside the Chancellor and Under-Treasurer of the Exchequer, whereby all Checks and Controlls are avoided. II. That a Suit of Law being intended about the Marriage of the Daughter of Sir Thomas Hyde, the said Earl caus'd one Mr. Brandley, a Principal Witness in the Cause, to be arrested by an extraordinary Warrant from one of the Secretaries of State, and to be kept for some time in close Custody; during which the Earl's Agents labour'd with Mr. Brandley, by Threats and Promises, not to declare the Truth, and at Midnight he was brought and examin'd before the King in the Presence of the Earl; whereupon Mr. Brandley was induc'd to deliver in a Testimony against his own Knowledge and Conscience, he being then in duresse: And all this was done with an Intent to procure the said Heiress to be married to the Earl's Second Son. III. That the Earl had receiv'd very great Sums of Money, besides the extraordinary Revenue, which had been wastfully spent; and far greater Sums than ever issu'd out for secret Service, without Account; the King's Debts remaining unpaid, the Stores unfurnish'd, and the Navy unrepair'd. IV. The Earl had violated the Rights and Properties of the People, by stopping, without Authority, those legal Payments due in the Exchequer. V. That tho' the Office of a Lord-Treasurer is always very full of necessary and great Employments, yet the Earl had also assum'd to himself the Management of the Irish Affairs, which before were always dispatch'd by the Secretaries, and pass'd in Council; thereby subtlely enabling himself the better to convert great Sums of Money out of the Irish Revenues to his own private Advantage. VI. That the Earl had procured great Gifts and Grants from the Crown, whilst under great Debts, by Warrants counterSign'd by himself. VII. That in Decemb 4, 1674, at the hearing of a Cause in the Treasury-Chamber, some Acts of Parliament, now in being, were urg'd against a Proclamation, and contrary to what his Lordship aim'd at; whereupon the Earl, in Contempt of the Law, utter'd this Arbitrary Expression, That a new Proclamation is better than an old Act. Upon his Lordship's Report to the Privy-Council, the Person in question being a Foreigner, and not obeying such Proclamation, but pursuing this Right at Law, was banish'd the Kingdom.'

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This was the Sum of their Accuſation; but when the Article were particularly and at ſeveral Times examin'd, they firſt ſtruck out one, and then another, till, upon the whole, they concluded that there was not ſufficient Ground for an Impeachment againſt him.

An Addreſs to the King for recalling the Engliſh Troops in the French Service.

After this, the Houſe preſented an humble Addreſs to his Majeſty for the ſpeedy recalling all his Subjects home out of the French King's Service; and for hindering any more from going over for that Service for the future. To which

The King's Anſwer.

the King return'd this Anſwer in Writing: 'That ſuch 'Troops of his Subjects that were in the moſt Chriſtian King's 'Service, before the late Treaty made with the States-Ge'neral of the United Provinces, and were not by that to be 'recall'd, as they are at preſent become inconſiderable in 'their Number; ſo his Majeſty conceives they cannot be 'recall'd, without derogating from his Honour and Digni'ty, and to the prejudice of the Peace he now enjoyeth, 'which he hath publicly profeſs'd to maintain with all his 'Neighbours. But as to the prohibiting the going over of 'any more, his Majeſty will renew his Proclamation, and 'uſe all other effectual Means both to forbid and hinder it.

A ſecond Addreſs.

This occaſion'd a ſecond Addreſs, that the Officers of the ſeveral Ports do take care for hindering any more going over for that Service for the future.

About this Time, the grand Debate, between the two Houſes concerning Privileges in the Caſe of Dr. Shirley and Sir John Fagg, took place, which is as follows:

Proceedings in the Houſe of COMMONS, *on an Appeal being brought in the Houſe of* LORDS *by* Dr. SHIRLEY, *againſt* Sir JOHN FAGG *and others their Members*; May, 1675. 27 CAR. II.

Sir John Fagg's Complaint.

Martis, 4 *Maij*, 1675. Sir *John Fagg*, Bart. this Day informing the Houſe, that he was ſummon'd to appear to a Petition in the Houſe of Lords, a Committee was thereupon appointed to ſearch for Precedents to that purpoſe.

Mercurij, 5 *Maij*. Reſolved, That a Meſſage be ſent to the Lords to acquaint them that this Houſe hath received Information, that there is a Petition of Appeal depending before them, at the Suit of Thomas Shirley Eſq; againſt Sir John Fagg, a Member of this Houſe; to which Petition he is by order of the Houſe of Lords, directed to anſwer on Friday next: And to deſire the Lords to have a Regard to the Privileges of this Houſe; and that Sir Trevor William do go up with the Meſſage to the Lords.

Sir Trevor

Sir Trevor Williams reports, that he had attended the Lords with the Meſſage of this Houſe, concerning Sir John Fagg; and the Lords will return an Anſwer by Meſſengers of their own.

A Meſſage from the Lords.

Veneris, 7 *Maij*. A Meſſage from the Lords by Sir William Beverſham and Sir Samuel Clarke.

Mr. Speaker, the Lords have conſider'd of the Meſſage received from the Houſe of Commons, concerning Privilege in the Caſe of Sir John Fagg, and do return this Anſwer, That the Houſe of Commons need not doubt, but that the Lords will have a Regard to the Privilege of the Houſe of Commons, as they have of their own.

Sabbati, 8 *Maij*. A Committee was appointed to inſpect the Lords Journals, to ſee what Entries are therein made againſt Sir John Fagg, a Member of this Houſe, and to report the ſame.

Mercurij, 12 *Maij*. Dr. Thomas Shirley ordered to be ſent for in Cuſtody, to anſwer his Breach of the Privileges of this Houſe, in proſecuting a Suit by Petition of Appeal in the Lords Houſe, againſt Sir John Fagg, a Member of this Houſe, during the Seſſion and Privilege of Parliament.

And a Committee is alſo to inſpect the Lords Journals, to ſee what hath been done in like Caſes; and the ſaid Sir John Fagg is ordered not to proceed, or make any Anſwer to the ſaid Appeal, without the Licence of this Houſe.

Sir Thomas Lee's Report from the Lords Journals.

Veneris, 14 *Maij*. Sir Thomas Lee reports from the Committee appointed to inſpect the Journals of the Houſe of Lords, and the Entries therein, in the Caſe between Dr. Thomas Shirley and Sir John Fagg, a Member of this Houſe, that the Committee had peruſed the Journals of the Lords Houſe, and found the Entries to be as follow.

April, the 30th. 'Thomas Shirley, Eſq; preſented a Petition to the Lords.'

Ordered, 'That the ſaid Sir John Fagg may have a Copy of the ſaid Petition and put in his Anſwer thereunto in Writing, on Friday the 7th Day of May next, at Ten of the Clock in the Forenoon, if he thinks fit.'

May, the 5th. 'The Commons ſend a Meſſage by Sir Trevor Williams: The Knights, Citizens, and Burgeſſes of the Houſe of Commons, in Parliament aſſembled, have been informed, that there is a Petition of Appeal depending before their Lordſhips, at the Suit of Thomas Shirley Eſq; againſt Sir John Fagg a Member of their Houſe; to which Petition he is, by their Lordſhips Order, directed to anſwer, on Friday next, and deſire their Lordſhips to take care of their Privileges.'

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Answer. 'That this House have considered of their Message, and will send an Answer by Messengers of their own.'

Ordered, 'That the Committee for Privileges do meet this Afternoon to consider of the Messages received from the House of Commons this Day, concerning Thomas Shirley Esq; and Sir John Fagg, a Member of the House, and search Precedents in the Case, and report to the House to-morrow Morning.'

May the 6th. The Earl of Berks reported, 'That the Committee of Privileges having met and considered of what was referred to them, in the Case between Thomas Shirley Esq; and Sir John Fagg, a Member of the House of Commons, and a Message from the House of Commons thereupon; have ordered him to report, that the Committee have found that the House did refer the Business of Mr. Hale and Mr. Slingsby, upon the like Message of the House of Commons, to the Committee of Privileges; who did report to the House, that it is the undoubted Right of the Lords in Judicature, to receive and determine in Time of Parliament, Appeals from inferior Courts, though a Member of either House be concerned, that there may be no Failure of Justice in the Land; and the House did agree with the Committee therein: And thereupon the Committee do humby offer to their Lordships, upon this Occasion, to take the same Course, and to insist upon their just Rights in this Particular, which their Lordships will be pleased to signify to the House of Commons, in such Manner as they shall think fit.'

The House agreed with the Committee in this Declaration, and ordered the same to be entered into the Journal-Book of this House as their Declaration, viz.

'That it is the undoubted Right of the Lords in Judicature, to receive and determine, in time of Parliament, Appeals from inferior Courts, tho' a Member of either House be concerned, that there may be no Failure of Justice in the Land.'

Then it was moved that the former Answer sent to the House of Commons in the Case of Mr. Slingsby and Mr. Hale, might be given now to the House of Commons, in this Case of Sir John Fagg; and that the Declaration and Report, agreed to this Day, might be added to it.'

The Declaration aforesaid was read, and the question being put, Whether this shall be as a part of the Answer to be given to the House of Commons? It was resolved in the Negative.

The Answer returned formerly to the House of Commons, in the Case of Mr. Slingsby, and Mr. Hale, was in these Words: 'That the House of Commons need not doubt but

but that their Lordſhips will have a regard to the Privileges of the Houſe of Commons, as they have of their own.

The Queſtion being put, Whether this Anſwer ſhall be now returned to the Meſſage from the Houſe of Commons? It was reſolved in the Affirmative.

May the 7th, it was ſent accordingly.

May 7. 'Whereas this Day was appointed for Sir John Fagg to put in an Anſwer to the Petition and Appeal of Thomas Shirley Eſq; depending in this Houſe, if he thought fit; the ſaid Sir John Fagg appearing perſonally this Day at the Bar, and deſiring longer Time to put in an Anſwer thereunto:

'It is thereupon ordered that the ſaid Sir John Fagg hath hereby farther Time given him for putting in his Anſwer, till Wedneſday next, being the 12th Day of this Inſtant May, at Ten o'Clock in the Forenoon.'

May 12. Sir John Fagg put in his Anſwer to the Petition of Mr. Shirley. A Debate ariſing thereupon, touching the Privilege of their Houſe,

Reſolved, &c. That the Appeal, brought by Dr. Shirley in the Houſe of Lords againſt Sir John Fagg, a Member of this Houſe, and the Proceedings thereupon, is a Breach of the undoubted Rights and Privileges of this Houſe. Reſolution thereon. 14. May

The Houſe being informed, that the Warrant of this Houſe for taking of the ſaid Dr. Shirley into Cuſtody, was forcibly taken away and detained from the Serjeant at Arms his Deputy, attending this Houſe, by the Lord Mohun: And the Serjeant's Deputy being called in and examined as to the Matter of Fact, gave this Teſtimony:

That he found Dr. Shirley in the inner Lobby of the Houſe of Lords, and that he came to him and deſired to ſpeak with him, and acquainted him, that he had a Warrant from the Houſe of Commons to apprehend him, and deſired to know whether he could ſhew him any Reaſon to excuſe him, that he might not ſerve the Warrant on him: And that he likewiſe told him, that he would not execute the Warrant on him in that Place, but deſired of him that he would go along with him freely; and that in caſe he would not, he would take his Opportunity in another place.

And that the ſaid Lord Mohun coming in, in the mean time, required him to ſhew his Warrant; which he producing, the Lord Mohun laid hands on it, and held it ſo faſt, that it was in danger of being torn; and that therefore he was forced to part with it, and deſiring to have it again, the Lord Mohun refuſed it, but carried the Warrant into the Houſe of Lords. That Dr. Shirley afterwards refuſed to go along with him, ſaying, that he was not then his Priſoner; and that, ſeveral Perſons interpoſing, the

Doctor

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Doctor escaped from him; and a Debate arising thereupon,

Resolved, That a Message be sent to the Lords to complain of Lord Mohun, for forcibly taking away and detaining the Warrant of this House, from the Deputy Serjeant at Arms, for taking of Dr. Shirley in Custody; and to demand the Justice of the Lords House against the said Lord Mohun.

And that the Lord Antram do go up to the Lords with the Message.

Dr. Shirley order'd to be taken into Custody.

Ordered, That Mr. Speaker do issue forth a new Warrant to the Serjeant at Arms attending this House, for apprehending Dr. Thomas Shirley, to answer his Breach of Privilege, for prosecuting a Suit by Petition of Appeal in the Lords House against Sir John Fagg, a Member of this House, during the Session and Privilege of Parliament.

Lord Antram's Report from the Lords.

Sabbati, 15 *Maij*, 1675. The Lord Antram reports from the Lords, that he had, in obedience to the Commands of this House, attended the Lords, and delivered the Message concerning the Lord Mohun's taking away, and detaining the Warrant for apprehending Dr. Shirley, and that the Lords had returned this Answer:

'*Gentlemen of the House of Commons*, The Lords have considered of your Message, and of the Complaint therein; and they return you this Answer, that they find the Lord Mohun hath done nothing but what is according to his Duty.

The House then resumed the Debate of the Matter concerning the Privileges of this House; and the Matter being debated,

Dr. Shirley's Appeal voted a Breach of Privilege.

Resolved, &c. That the Appeal, brought by Dr. Shirley in the House of Lords against Sir John Fagg, a Member of this House, and the Proceedings thereupon, is a Breach of the undoubted Rights and Privileges of the House of Commons; and therefore the Commons desire, that there be no farther Proceedings in that Cause before their Lordships.

A Conference desired with the Lords.

Ordered, That a Conference be desired with the Lords concerning the Privileges of this House, in the Case of Sir John Fagg; and that Sir Thomas Lee do go up to the Lords to desire a Conference.

A Message from the Lords.

A Message from the Lords by Sir Mondeford Bramston, and Sir William Glascock.

'Mr. Speaker, We are commanded to let this House know that the Lords spiritual and temporal, assembled in Parliament, having received a Warrant, signed Edward Seymour, which they have appointed us to shew you; and desire to know whether it be a Warrant ordered by this House: The matter of the Message being debated, the Question being put, that the Word unparliamentary be part of

of the Anſwer to the Lords Meſſage, it paſſed in the Negative.

Reſolved, That the Meſſengers be called in, and that this Anſwer be returned, that this Houſe will conſider of the Meſſage.

The Meſſengers being called in, Mr. Speaker does acquaint them, that the Houſe will conſider of the Meſſage.

Reſolved, That the Meſſage laſt received from the Houſe of Lords, is an unparliamentary Meſſage.

Reſolved, That a Conference be deſired to be had with the Lords, upon the Subject Matter of the laſt Meſſage received from the Houſe of Lords.

Reſolved, That it be referred to Mr. Garraway, &c. to draw up Reaſons to be offered at the ſaid Conference.

Then the Houſe being informed that there is a cauſe upon an Appeal brought up by Sir Nicholas Stoughton, againſt Mr. Onſlow, a Member of this Houſe, appointed to be heard at the Bar of the Lords Houſe; Mr. Onſlow.

Reſolved, That a Meſſage be ſent to the Lords to acquaint them, that this Houſe has received Information, that there is a Cauſe upon an Appeal brought by Sir Nicholas Stoughton againſt Mr. Onſlow a Member of this Houſe, appointed to be heard at the Bar of the Houſe, on Monday next; and to deſire their Lordſhips to have regard to the Privileges of this Houſe, and that Sir Richard Temple do go up with the Meſſage to the Lords.

Ordered, That Mr. Onſlow do not appear any farther in the proſecution of the Appeal brought againſt him by Sir Nicholas Stoughton, in the Houſe of Lords.

Ordered, That Sir Nicholas Stoughton be ſent for in Cuſtody of the Serjeant at Arms attending this Houſe, to anſwer his Breach of Privilege in proſecuting a Suit in the Houſe of Lords againſt Arthur Onſlow Eſq; a Member of this Houſe, during the Seſſion and Privilege of Parliament.

Reſolved, That whoſoever ſhall appear at the Bar of the Houſe of Lords, to proſecute any Suit againſt any Member of this Houſe, ſhall be deemed a breaker and infringer of the Rights and Privileges of this Houſe.

Lunæ, 17 *Maij*, 1675. Sir Richard Temple reports, that the Perſon appointed had attended the Lords, and delivered the Vote of this Houſe, concerning the Appeal brought by Dr. Shirley againſt Sir John Fagg. Sir Richard Temple.

Sir Thomas Lee reports, from the Committee appointed to draw up Reaſons for the Conference to be had with the Lords, Reaſons agreed by the Committee; which are as follow, *viz.* Sir Thomas Lee's Report from the Committee.

For that the Meſſage is by way of Interrogatory upon the Proceedings of the Houſe of Commons in a Caſe concerning the Privilege of a Member of that Houſe, of which they are proper Judges.

For

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For that the Matter of the Meſſage carries in it an undue Reflection upon the Speaker of the Houſe of Commons.

For that the matter of the Meſſage doth highly reflect upon the whole Houſe of Commons, in their Lordſhips queſtioning that Houſe concerning their own Orders; which they have the more Reaſon to apprehend, becauſe, the Day before this Meſſage was brought to them, the Warrant was owned by the Complaint of the Houſe of Commons to their Lordſhips, that the ſame was taken and detained from a Servant of theirs, by a Peer; which imports, that the Queſtion in that Meſſage could not be for Information only, and ſo tends to interrupt that mutual good Correſpondency, which ought to be preſerved inviolably between the two Houſes of Parliament.

Sir Richard Temple's Report from the Lords.

Martis, 18 *Maij*, 1675. Sir Richard Temple reports from the Lords, that he had attended their Lordſhips, according to the Command of this Houſe, with the Meſſage in the Caſe of Mr. Onſlow, to which the Lords returned an Anſwer, which being in writing, was delivered at the Clerks Table, and read; and is as followeth:

'The Lords do declare, That it is the undoubted Right of the Lords in Judicature, to receive and determine in time of Parliament, Appeals from inferior Courts, though a Member of either Houſe be concerned, that there may be no failure of Juſtice in the Land: And from this Right, and the Exerciſe thereof, their Lordſhips will not depart.

The Matter of the Lords Anſwer being debated,

Reſolved, That it is the undoubted Privilege of this Houſe, that none of their Members be ſummoned to attend the Houſe of Lords, during the Sitting or Privilege of Parliament.

Reſolved, That a Conference be deſired with the Lords, upon the Privileges of this Houſe, contained in the Lords Anſwer to the Meſſage of this Houſe, in the Caſe of Mr. Onſlow.

Sir Henry Ford.

Ordered, That Sir Henry Ford do go up to the Lords, to deſire a Conference upon the ſubject Matter of their Meſſage, concerning the Warrant for apprehending Dr. Shirley.

Sir Thomas Lee.

Jovis, 20 *Maij*, 1675. Sir Thomas Lee reports, from the Committee appointed to draw up Reaſons to be offered at the Conference to be had with the Lords upon the Privileges of this Houſe, contained in the Lords Anſwer to the laſt Meſſage of this Houſe, in the Caſe of Mr. Onſlow; which Reaſons were twice read, and, with ſome alterations at the Clerks Table, (upon the queſtion ſeverally put) agreed to; which are as follow, *viz.*

Reaſons to be offer'd to the Lords at the Conference.

1. That, by the Laws and Uſage of Parliament, Privilege of Parliament belongs to every Member of the Houſe of Commons,

Commons, in all Cases except Treason, Felony, and breach of the Peace; which hath often been declared in Parliament, without any Exception of Appeals before the Lords. Anno 2°Car. II. 1675.

II. That the Reason of that Privilege is, that the Members of the House of Commons may freely attend the public Affairs of that House, without disturbance or interruption, which doth extend as well to Appeals before the House of Peers, as to Proceedings in other Courts.

III. That, by the constant course and usage of Parliament, no Member of the House of Commons can attend the House of Lords, without the especial Leave of that House first obtained, much less be summoned or compelled so to do.

IV. If the Lords shall proceed to hear and determine any Appeal, where the Party neither can, nor ought to attend, such Proceedings would be contrary to the Rules of Justice.

V. That the not determining of an Appeal against a Member of the House of Commons, is not a Failure of Justice, but only a Suspension of Proceedings in a particular Case, during the Continuance of that Parliament which is but temporary.

VI. That in case it were a Failure of Justice, it is not to be remedied by the House of Lords alone, but it may be by Act of Parliament.

(Here Sir Thomas Littleton reported from the Committee appointed to prepare the farther Address of this House to his Majesty, for the recalling such of his Subjects as are in the French King's service: which the House defered the farther Consideration of till Wednesday next.)

Then Sir Trevor Williams reports from the Lords, that he had attended, and desired a Conference with the Lords on the Privilege of this House, contained in the Lords Answer to the Message of this House, in the Case of Mr. Onslow: And that the Lords will return an Answer by Messengers of their own. Sir Trevor Williams's Report.

Mr. Powle reports, from the Conference had with the Lords upon the Subject Matter of the former Conference, concerning the Warrant for apprehending Dr. Shirley, That the Lords had returned an Answer to the Reasons of this House, delivered at the former Conference; and are as follow: Mr. Powle's Report.

'The Lords have appointed this Conference, upon the Subject Matter of the last Conference, and have commanded us to give these Answers to the Reasons and other Matters then delivered by the House of Commons. The Lords Reasons.

'To the first Question, the Lords conceive that the most natural way of being informed, is by way of Question; and seeing a Paper here, which did reflect upon the Privileges of

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the Lords House, their Lordships would not proceed upon it, till they were assured it was owned by the House of Commons: But the Lords had no Occasion at that Time, nor do they now think fit, to enter into the Debate of the House of Commons being, or not being proper Judges in the Case concerning the Privilege of a Member of that House; their Lordships necessary Consideration, upon sight of that Paper, being only, how far the House of Commons ordering (if that Paper were theirs) the Apprehension of Dr. Shirley, for prosecuting his Appeal before the Lords, did entrench upon their Lordships both Privilege and undoubted Right of Judicature, in the Consequence of it, excepting all the Members of both Houses from the Judicature of this the highest Court of the Kingdom; which would cause a Failure of that supreme Justice, not administrable in any other Court, and which their Lordships will never admit.

'As to the second Reason, the Lords answer, That they do not apprehend how the Matter of this Message is any reflection upon the Speaker of the House of Commons.

'To the third Reason, The Lords cannot imagine how it can be apprehended in the least to reflect upon the House of Commons, for the House of Peers, upon a Paper produced to their Lordships, in form of a Warrant of that House, whereof doubt was made among the Lords, whether any such thing had been ordered by that House, to enquire of the Commons whether such Warrant was ordered there or no? And, without such Liberty used by the Lords, it will be very hard for their Lordships to be rightly informed, so as to preserve a good Correspondence between the two Houses, which their Lordships shall endeavour; or to know when Warrants, in the Name of that House, are true or pretended? And it is so ungrounded an Apprehension, that their Lordships intended any Reflection in asking that Question, and not taking notice in their Message of the Complaint of the House of Commons owning that Warrant, that the Lords had sent their Message concerning that Paper, to the House of Commons, before the Lords had received the said Commons Complaint.

'But their Lordships have great Cause to except against the unjust and strained Reflection of that House upon their Lordships, in asserting that the Question in the Lords Message could not be for Information, as we affirm, but tending to interrupt the mutual Correspondence between the two Houses; which we deny, and had not the least Thought of.

'The Lords have farther commanded us to say, that they doubt not but the House of Commons, when they have received what we have delivered at this Conference, will be sensible of their Error, in calling our Message strange, unusual

uſual, or unparliamentary. Though we cannot but take notice, that their Anſwer to our Meſſage, that they would conſider it, was the firſt of that Kind that we can find to have come from that Houſe.'

The Queſtion being put, Whether the Houſe be ſatisfied with the Reaſons delivered by the Lords at the laſt Conference? it paſſed in the Negative. Unſatisfactory.

Reſolved, That a free Conference be deſired with the Lords upon the Matter delivered at the laſt Conference; and that the former Managers do attend, and manage the free Conference.

Friday, May 21. The Houſe Reſolved, on Wedneſday next, to proceed in the farther Conſideration of that part of the Meſſage relating to Appeals from inferior Courts. Sir Trevor Williams was ordered to go up to the Lords, to deſire a Conference upon the Privileges of this Houſe, contained in their Anſwer to the Meſſage touching Mr. Onſlow's Caſe, which he accordingly did; and reports, that the Lords will return an Anſwer thereto by Meſſengers of their own.

May 27. A Meſſage ordered to be ſent to the Lords, to remind them of the former Meſſage; and again to deſire a Conference upon the Privileges of this Houſe, in the Caſe of Mr. Onſlow. And ordered the Matter of the Juriſdiction of the Lords, in Caſes of Appeal, be taken into Conſideration to-morrow Morning.

Veneris, 28 *Maij*, 1675. Sir Thomas Lee reports, from the Committee to whom it was referr'd, to draw up Reaſons to be offered at a Conference to be had with the Lords, upon the Subject Matter of their Anſwer to the laſt Meſſage of this Houſe, in the Caſe of Mr. Onſlow, ſeveral Reaſons agreed by the ſaid Committee: which he read in his Place, and afterwards delivered the ſame in at the Clerk's Table; where the ſame, being twice read, were, upon the Queſtion, ſeverally agreed unto, and are as follow, *viz.* Sir Thomas Lee's Report from the Committee.

'For that the Commons deſired a Conference upon their Privileges concerned by the Lords Anſwer to a Meſſage ſent to the Lords the 18th of May, in the Caſe of Mr. Onſlow; their Lordſhips have not agreed to any Conference in the Caſe of Mr. Onſlow, but have only agreed to a Conference concerning their Privileges in general, without reference to the Caſe of the ſaid Mr. Onſlow; which was the only Subject Matter of the deſired Conference.

'The Limitation in the Lords Agreement to a Conference, with Proviſo that nothing be offered at the Conference, that may any way concern their Lordſhips Judicature, is in effect a Denial of any Conference at all, upon the Subject on which it was deſired: Which ought not to be; the Judicature which their Lordſhips claim in Appeals againſt a Member

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of the House of Commons, and the Privilege of that House, being in that Case so involved, that there can be no Conference upon the latter, without some way touching upon the former.

'That this Manner of agreeing to a Conference with any Limitation or Proviso, is against the Course of Proceedings betwixt the two Houses of Parliament, in coming to Conference; and doth seem to place a Power in the Managers of such Conferences to judge whether such Provisos be broken or not, and accordingly to proceed, or break off the Conference upon their own Judgments.'

Sir Leoline Jenkins's Report.

Lunæ, 31 *Maij*, 1675. * Sir Leoline Jenkins reports, that he had attended the Lords with the Message of this House, for a Conference upon the subject Matter of the Lords Answer to the last Message of this House, in the Case of Mr. Onslow; and that the Lords had sent Answer, that they would return Answer by Messengers of their own.

A Message from the Lords.

A Message from the Lords by Sir Mondeford Brampston, and Sir William Beversham.

'Mr. Speaker, The Lords have commanded us to acquaint you, that they desire a Conference presently in the Painted-Chamber, with the House of Commons, upon their not coming to the Conference desired by them, on Thursday last, and by the Lords appointed to be at ten of the Clock in the Painted-Chamber, on Friday the 28th of this Instant May.'

The Messengers being withdrawn, and the Message debated, a present Conference upon the Question was agreed.

And the Messengers being called in, Mr. Speaker acquaints them, that the House had agreed to a present Conference.

Ordered, That the former Members, that were appointed to manage the former Conference, in the Case of Mr. Onslow, do attend and manage this Conference.

Sir John Trevor's Report.

Sir John Trevor reports, from the Conference, that the Lords had declared the Intent of this Conference, to the effect following, *viz.* 'That the Lords have appointed this Conference, out of that constant Desire and Resolution they have to continue a fair Correspondence between the two Houses; which is of the Essence of parliamentary Proceedings.'

For this End their Lordships have commanded us to tell you, that they cannot but take Notice of the House of Commons failing to be, on Friday last, at a Conference desired by themselves and appointed by the Lords at ten of the clock in the Painted-Chamber.

That

* *Judge of the Admiralty, and afterwards Secretary of State.*

That they conceive it tends to an Interruption of all Parliamentary Proceedings, and to evade the Right of the Lords to appoint Time and Place for a Conference. Anno 27 Car. II. 1675.

Ordered, That it be referred to the former Committee, who are appointed to draw up Reaſons, to be offered at a Conference to be had with the Lords upon the ſubject Matter of their Anſwer, to the Meſſage of this Houſe, in the Caſe of Mr Onſlow, to conſider of the Matter delivered by the Lords at the laſt Conference; and to prepare and draw up further Reaſons, to be offered at another Conference. And that the Committee do meet this Afternoon at five of the Clock in the Speaker's Chamber. And Mr. Serjeant Maynard, and Mr. Sawyer, are to take notice to attend the ſame.

Martis 1 *Junij*, 1675. Sir Thomas Lee reports, from the Committee appointed to inſpect the Journals of the Houſe of Lords, and to ſee what Proceedings have been entred, in the Caſe of Mr. Dalmahoy, and Mr. Onſlow, that they had inſpected the Lords Journals as to the Caſe of Mr. Dalmahoy, and collected what Proceedings had been in that Caſe; but had no Opportunity or Time yet to do it in the Caſe of Mr. Onſlow: Which Proceedings being reported, were read, and delivered in at the Clerk's-Table; and are as follow, *viz.* 19 April, 1675. Sir Thomas Lee's Report.

The Appeal brought by Criſpe and Criſpe, complaining againſt a Decree in Chancery made, wherein Mr. Dalmahoy is recited to be one of the Petitioners; Cranbourne and Bowyer are ordered to put in an Anſwer, and Dalmahoy if he pleaſe.

Maij 12, 1675. *Ordered*, That this Houſe will hear Counſel at the Bar, upon the Petition and Appeal of Sir Nicholas Criſpe, and others, againſt the Lady Viſcounteſs Cranbourne, the Lady Anne Bowyer, and Thomas Dalmahoy Eſq; and their Anſwer thereunto, depending in this Houſe on Wednesday the 19th of this Inſtant May, at ten of the Clock in the Forenoon; whereof the Petitioners are to cauſe timely Notice to be given to the ſaid Defendants, or their Agents in the ſaid Caſe, for that Purpoſe.

Maij 19, 1675. Whereas Sir Nicholas Criſpe, Bart. having an Appeal depending in this Houſe, againſt the Lady Cranbourne, Lady Bowyer, and Thomas Dalmahoy Eſq; a Member of the Houſe of Commons; hath prayed that Counſel may be aſſigned him to plead his Cauſe upon the ſaid Appeal, and hath named Counſel for that Purpoſe: It is ordered that Sir John Churchill, Serjeant Peck, Serjeant Pemberton, and Mr. Porter, named by the ſaid Sir Nicholas Criſpe, be, and are hereby appointed to open, and manage the

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the ſaid Cauſe, on the Part and Behalf of the ſaid Sir Nicholas Criſpe; on Thurſday the 27th Day of this Inſtant May at ten of the Clock in the Forenoon; and at ſuch other Times, as it ſhall be depending in this Houſe.

Upon reading the Petition of Sir Nicholas Criſpe, Bart. Thomas Criſpe and John Criſpe, Eſqs; ſhewing, that having an Appeal depending in this Houſe againſt Thomas Dalmahoy Eſq; a Member of the Houſe of Commons, and others; they are in danger of being arreſted by an Order of the Houſe of Commons; and therefore pray the Protection of this Houſe, that they may have Liberty to proſecute their ſaid Appeal with Freedom:

It is thereupon ordered, that Sir Nicholas Criſpe, Bart. John Criſpe, and Thomas Criſpe, or any of them, their or any of their Counſel, Agents or Sollicitors, or ſuch other Perſon or Perſons as they ſhall employ, in proſecuting the ſaid Appeal before this Houſe, be, and are hereby privileged, and protected accordingly by this Houſe, until the Matter upon the Appeal be determined by their Lordſhips. And all Perſons whatſoever, are hereby prohibited from arreſting, impriſoning, or otherwiſe moleſting, the ſaid Sir Nicholas Criſpe, John Criſpe, and Thomas Criſpe, or any of their Counſel, Agents, or Sollicitors, upon any Pretence whatſoever, during the Time prefixed, as they or ſuch of them will anſwer the contrary to this Houſe.

Maij 26, 1675. The Cauſe between Sir Nicholas Criſpe, *&c.* Plaintiffs, and Thomas Dalmahoy Eſq; Defendant, appointed to be heard the 27th, was ordered to be heard the 28th *Maij*.

Maij 27. Upon reading the Petition of Sir Nicholas Criſpe, complaining, that the Counſel aſſigned him by this Houſe, to plead his Cauſe at the Bar, wherein Mr. Dalmahoy is one of the Defendants, do refuſe to plead for him in this Caſe, in regard of a Vote of the Houſe of Commons; Sir Nicholas Criſpe was called in, and teſtified, that he ſhewed the Order of this Houſe to Serjeant Peck, Serjeant Pemberton, Sir John Churchill, and Mr. Porter.

Whereupon it is Ordered, That, whereas Sir John Churchill, Serjeant Peck, Serjeant Pemberton, and Mr. Porter, were, by Order of this Houſe, dated on the 19th Inſtant, aſſigned to be of Counſel for Sir Nicholas Criſpe, John Criſpe, and Thomas Criſpe, in their Cauſe depending in this Houſe, againſt Thomas Dalmahoy Eſq; a Member of the Houſe of Commons, and other Defendants, at ſuch time as the ſaid Cauſe ſhall be appointed to be pleaded at the Bar of this Houſe; and having appointed to hear the ſaid Cauſe, by Counſel on both ſides, to-morrow at three of the Clock in the Afternoon;

It

It is this day Ordered, that the ſaid Sir John Churchill, Serjeant Peck, Serjeant Pemberton, and Mr. Porter, be, and are hereby required, to appear at the Bar of this Houſe, to-morrow, at three of the Clock in the Afternoon, as Counſel to plead in the ſaid Cauſe, on the Behalf of the ſaid Sir Nicholas Criſpe, John Criſpe, and Thomas Criſpe, as they will anſwer the contrary to this Houſe.

Maij 28, 1675. Council heard at the Bar on both Parts, upon the Petition and Appeal of Sir Nicholas Criſpe, *&c.* and the Anſwer of Diana Viſcounteſs Cranbourne, *&c.* and Thomas Dalmahoy Eſq; put in thereunto concerning a Decree in Chancery: *Reſolved*, the Petition and Decree be diſmiſſed.

Maij 28. This day the Houſe heard the Counſel of Sir Nicholas Criſpe, John Criſpe, and Thomas Criſpe, upon their Petition and Appeal depending in this Houſe; and alſo the Counſel of the Lady Bowyer, and Mr. Dalmahoy, upon their Anſwer thereunto; and, after a ſerious Conſideration thereof, the Queſtion being put, whether this Petition and Appeal ſhall be diſmiſſed this Houſe?

It was reſolved in the Affirmative.

Proceedings againſt ſeveral Barriſters for pleading before the Lords in Breach of an Order of the Commons.

Mr. Serjeant Pemberton, Sir John Churchill, Mr. Serjeant Peck, and Mr. Porter, attending at the Door, in obedience to the Order of the Houſe of Commons; and, being ſeverally called in, Mr. Speaker did ſeverally acquaint them, that they were ſummoned to give an Account to the Houſe, of their appearing as Council at the Bar of the Houſe of Lords, in the Proſecution of a Cauſe depending upon an Appeal, wherein Mr. Dalmahoy, a Member of this Houſe, is concerned, in the manifeſt Breach of the Order of this Houſe; and giving up, as much as in them lies, the Rights and Privileges of the Commons of England: And they having anſwered and made their Excuſes to the effect following; That they had no notice of the Order or Vote of this Houſe, but what they had heard in common Diſcourſe abroad; and becauſe they conceived Mr. Dalmahoy, a Member of this Houſe, might be concerned, they refuſed ſeveral times to appear as Council, or to accept their Fees; but being aſſigned of Council for Sir Nicholas Criſpe, and an Order of the Houſe of Lords being ſerved on them to attend at their Peril, and that then attending, and Mr. Dalmahoy having put in his Anſwer in the Lords Houſe, and not inſiſting on his Privilege afterwards, and the Council for Lady Bowyer, who was the principal Party concerned, denying to be of Council for Mr. Dalmahoy, they conceived they might ſafely appear as Council without breach of the Order, or invading the Rights and Privileges of this Houſe, which was not intended by them; and

Their Defence.

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and Sir John Churchill, by way of farther Excuſe for himſelf, ſaid, that he had Witneſſes ready to prove that Mr. Dalmahoy was willing and deſirous to have the Buſineſs go forward. And the ſaid Mr. Serjeant Pemberton, Sir John Churchill, Mr. Serjeant Peck, and Mr. Porter, did all of them humbly ſubmit themſelves to the Pleaſure of the Houſe, if they had in any thing miſbehaved themſelves; and being withdrawn, and the Matter debated, the Queſtion being put, That Serjeant Pemberton be taken into Cuſtody of the Serjeant at Arms attending this Houſe?

It was reſolved in the Affirmative.

They are order'd into Cuſtody.

Ordered, That Serjeant Pemberton, Sir John Churchill, Mr. Serjeant Peck, and Charles Porter Eſq; be taken into Cuſtody of the Serjeant at Arms attending this Houſe.

Other Reaſons to be offered to the Lords.

Mercurii, a *die Junii*. *Ordered*, That Sir Richard Temple, Mr. Vaughan, and Sir Thomas Lee do withdraw, and attend the Reaſons upon the Debates of the Houſe; Which was done; and the Reaſons agreed to are as follow.

'The Houſe of Commons do agree with the Lords, that Conferences between the two Houſes of Parliament, are eſſential to parliamentary Proceedings, when they are agreed in the uſual and parliamentary Way; but the Manner of the Lords Agreement to the Conference, to have been on Friday the 28th of May laſt, at ten of the Clock, in the Painted-Chamber, with Limitation and Proviſo, did neceſſitate the Houſe of Commons to forbear to meet at that Conference, and gave the firſt Interruption to parliamentary Proceedings, in Conferences between the two Houſes.

'For that the Conference deſired by the Commons, was upon their Privileges, concerned in the Anſwer of the Lords to a Meſſage of the Houſe of Commons, ſent to the Lords the 17th of May, in the Caſe of Mr. Onſlow; to the which the Lords did not agree, but did only agree to a Conference concerning their Privileges in general, without Reference to the Caſe of the ſaid Mr. Onſlow; which was the only Subject Matter of the deſired Conference.

'The Limitation in the Lords Agreement to a Conference, with Proviſo that nothing be offered at the Conference that may any ways concern the Lords Judicature, is in effect a Denial of any Conference at all, upon the Subject upon which it was deſired; which ought not to be.

'The Judicature which the Lords claim in Appeal againſt a Member of the Houſe of Commons, and the Privilege of that Houſe in that Caſe, is ſo involved, that no Conference can be upon the Matter, without ſome way touching the former.

'That this manner of agreeing to a Conference, with any Limitation or Proviſo, is againſt the Courſe of Proceeding

ings between the two Houſes of Parliament, in coming to Conferences; and doth ſeem to place a Power in the Managers of ſuch Conferences, to judge whether ſuch Proviſos be broken or not, and accordingly to proceed or break off the Conference upon their own Judgments. Anno 27 Car. II. 1675.

'The Houſe of Commons doubt not, but that, when the Lords have conſidered of what is delivered at this Conference, the good Correſpondence which the Lords expreſs they deſire to continue between the two Houſes (which the Commons are alſo no leſs careful to maintain) will induce them to remove the preſent Interruption of coming to Conferences; and therefore to agree to the Conference, as it was deſired by the Houſe of Commons, upon the Privileges of their Houſe, concerned in the Lords Anſwer to the Meſſage of the Houſe of Commons, in the Caſe of Mr. Onſlow: That the particular Limitation, that nothing be offered at the Conference, that may any way concern the Judicature of the Lords, appears unreaſonable; for that their Lordſhips Judicature in Parliament is circumſcribed by the Laws of the Land, as to their Proceedings and Judgments; and is, as well as all other Courts, ſubjected to Parliament.'

Jovis, 3 *die Junii*, 1675. Mr. Vaughan reports, That the Lord Privy-Seal did manage the Conference, and had delivered the Intent and Occaſion of the Conference; which Mr. Vaughan did report to the Houſe, to the Effect following, *viz.* Mr. Vaughan.

'The Lords do take notice of the Houſe of Commons their ordering into Cuſtody of their Serjeant, Mr. Serjeant Peck, Sir John Churchill, Mr. Serjeant Pemberton, and Mr. Serjeant Porter, Counſellors at Law; aſſigned by their Lordſhips to be of counſel in an Appeal heard at their Lordſhips Bar, in the Caſe of Sir Nicholas Criſpe, againſt the Lady Bowyer, Mr. Dalmahoy, and others; the Lords in Parliament, where his Majeſty is higheſt in his royal Eſtate, and where the laſt Reſort of judging upon Writs of Error, and Appeals in Equity, in all Cauſes and over all Perſons, is undoubtedly fixed, and permanently lodged.' The Lords Replies.

'It is an unexampled Uſurpation and Breach of Privilege againſt the Houſe of Peers, that their Orders or Judgments ſhould be diſputed, or endeavoured to be controlled, or the Execution thereof obſtructed by the lower Houſe of Parliament; who are no Court, nor have authority to adminſter an Oath, or give any Judgment.'

'It is a tranſcendent Invaſion on the Right and Liberty of the Subject, and againſt *Magna Charta*, the Petition of Right, and many other Laws, which have provided, that no Freeman ſhall be impriſoned or otherwiſe reſtrained of his Liberty, but by due Proceſs of Law.'

Anno 27 Car. II. 1675.

' This tends to the Subverſion of the Government of the Kingdom, and to the introducing of Arbitrarineſs and Diſorder.'

' Becauſe it is the nature of an Injunction from the lower Houſe, (who have no Authority or Power of Judicature over inferior Subjects, much leſs over the King and Lords) againſt the Orders and Judgments of the ſupreme Court.

' We are farther commanded to acquaint you, that the Lords have, therefore, out of that Juſtice which they are Diſpenſers of againſt Oppreſſion and Breach of Laws, by Judgment of this Court, ſet at liberty, by the Gentleman Uſher of the Black Rod, all the ſaid Serjeants and Counſellors; and prohibited the Lieutenant of the Tower, and all other Keepers of Priſons and Goalers, and all Perſons whatſoever, from arreſting and impriſoning, detaining, or otherwiſe moleſting, or charging the ſaid Gentlemen, or any of them in this Caſe: And if any Perſon, of what Degree ſoever, ſhall preſume to the contrary, their Lordſhips will exerciſe the Authority with them entruſted for putting the Laws in execution.

' And we are farther commanded to read to you a Roll of Parliament in the firſt Year of the Reign of King Henry the IVth, whereof we have brought the Original with us.'

And a Debate ariſing thereupon;

Another Conference deſired.

Reſolved, That a Conference be deſired with the Lords upon the Subject Matter of the laſt Conferrence; and that theſe Members following, be appointed to prepare and draw up Reaſons upon the Debates of the Houſe, to be offered at the Conference.

Ordered, That the Officer, in whoſe Cuſtody is the Record of the firſt of Henry the IVth, mentioned at the Conference with the Lords, do attend the Committee appointed to draw up Reaſons for another Conference this Afternoon. And they are to meet at Three of the Clock, in the Speaker's Chamber, and to ſend for Perſons, Papers and Records.

Ordered, That no Member of this Houſe do attend the Lords Houſe, upon any Summons from the Lords without Leave of the Houſe.

The Thanks of the Houſe given to the Speaker for cauſing Serjeant Pemberton to be ſeiz'd in Weſtminſter-hall.

Veneris, 4 *Junij*, 1675. *Ordered*, That the Thanks of this Houſe be returned to Mr. Speaker, for cauſing Mr. Serjeant Pemberton, formerly committed by order of this Houſe to the Cuſtody of the Serjeant at Arms attending this Houſe, for Breach of Privilege, to be ſeized and taken into Cuſtody in Weſtminſter-hall, for his Breach of Privilege.

The

Anno 31 Car. II. 1678.

The Houſe being informed, that Sir John Churchill, Mr. Serjeant Peck, and Mr. Charles Porter, who were ordered to be taken into Cuſtody of the Serjeant at Arms attending this Houſe, are now in Weſtminſter-hall;

Ordered, That the Serjeant at Arms now attending this Houſe, do go with his Mace into Weſtminſter-hall, and do execute the Order of this Houſe and the Warrant of Mr. Speaker thereupon, for ſeizing and bringing in Cuſtody Mr. Serjeant Peck, Sir John Churchill and Mr. Charles Porter, for their Breach of the Privilege of this Houſe.

The Serjeant returning, gave an Account, that he had executed the Order of this Houſe and Mr. Speaker's Warrant thereupon, and had brought the ſaid Mr. Serjeant Peck, Sir John Churchill and Mr. Charles Porter, in Cuſtody, into the Speaker's Chamber.

The three other Barriſters ſeiz'd in the ſame Place.

The Queſtion being put, that Sir John Churchill, Mr. Serjeant Peck, Mr. Serjeant Pemberton, and Mr Charles Porter be ſent to the Tower, for their Breach of Privilege and Contempt of the Authority of this Houſe?

It was reſolved in the Affirmative.

Ordered, That Mr Speaker do iſſue his Warrant to the Lieutenant of the Tower to receive them into his Cuſtody.

And together with Pemberton ſent to the Tower.

Ordered, That John Popham Eſq; the now Serjeant at Arms attending this Houſe, be protected againſt all Perſons that ſhall any ways moleſt or hinder him from executing his Office.

Sir Thomas Lee reports from the Committee, the Reaſons agreed to be offered at the Conference to be had with the Lords, upon the Matters delivered at the laſt Conference, which were twice read, and, with ſome Amendments made at the Table, ſeverally agreed; and are as follows, viz.

Sir Thomas Lee's Report.

Other Reaſons to be offer'd the Lords.

'Your Lordſhips having deſired the laſt Conference, upon Matters of high Importance, concerning the Dignity of the King, and the Safety of the Government, the Commons did not expect to hear from your Lordſhips at that Conference, Things ſo contrary to, and inconſiſtent with, the Matter upon which the ſaid Conference was deſired, as were then delivered by your Lordſhips.'

'It was much below the Expectation of the Commons, that, after a Repreſentation of your Lordſhips Meſſage, of Matters of ſo high Importance, the Particular upon which the Conference was grounded, ſhould be only the Commitment of four Lawyers to the Cuſtody of their own Serjeant at Arms, for a manifeſt Violation of the Privileges of their Houſe.'

Anno 27 Car. II. 1675.

'But the Commons were much more ſurpriſed, when your Lordſhips had introduc'd the Conference with an Aſſurance, that it was in order to a good Correſpondency between the two Houſes, that your Lordſhips ſhould immediately aſſume a Power to judge the Orders of the Houſe of Commons for Impriſonment of Mr. Serjeant Pemberton, Mr. Serjeant Peck, Sir John Churchill, and Mr. Charles Porter, to be illegal and arbitrary: and the Execution thereof a great Indignity to the King's Majeſty; with many other high Reflections upon the Houſe of Commons, throughout the whole Conference: whereby your Lordſhips have condemned the whole Houſe of Commons as criminal, which is without precedent or example, or any ground or reaſon ſo to do.'

'It is not againſt the King's Dignity for the Houſe of Commons to puniſh by Impriſonment, a Commoner that is guilty of violating their Privileges, that being according to the known Laws and Cuſtoms of Parliament, and the Rights of their Privileges declared by the King's royal Predeceſſors in former Parliaments, and by himſelf in this.'

'But your Lordſhips claiming to be the ſupreme Court, and that his Majeſty is higheſt in his royal Eſtate in the Court of Judicature there, is a diminution of the Dignity of the King, who is higheſt in his royal Eſtate in full Parliament; and is derogatory to the Authority of the whole Parliament, by appropriating it to yourſelves.

'The Commons did not by this Impriſonment infringe any Privileges of the Houſe of Peers, but only defend and maintain their own: On the other ſide, your Lordſhips do highly intrench upon the Rights and Privileges of the Houſe of Commons, by denying them to be a Court or to have any Authority or Power of Judicature; which, if admitted, will leave them without any Power or Authority to preſerve themſelves.'

'As to what your Lordſhips call a tranſcendent Invaſion of the Rights and Liberties of the Subject, and againſt *Magna Charta*, the Petition of Right, and many other Laws; the Houſe of Commons preſume that your Lordſhips know, that neither the Great Charter, Petition of Right, or any other Laws, do take away the Law and Cuſtom of Parliament, or of either Houſe of Parliament, or elſe your Lordſhips have very much forgotten the Great Charter, and thoſe other Laws, in the ſeveral Judgments your Lordſhips have paſſed upon the King's Subjects in Caſes of Privilege. But the Commons cannot find by *Magna Charta*, or by any Law or ancient Cuſtom of Parliament, that your Lordſhips have any Juriſdiction in Caſes of Appeal from the Courts of Equity.

'We

'We are farther commanded to acquaint you, that the Enlargment of thoſe Perſons in Priſon by order of the Houſe of Commons, by the Gentleman-Uſher of the Black Rod, and the Prohibition which threatens all Officers and other Perſons whatſoever, not to receive or detain them; is an apparent Breach of the Rights and Privileges of the Houſe of Commons: And they have, therefore, cauſed them to be retaken into the Cuſtody of the Serjeant at Arms attending this Houſe, and have committed them to the Tower. Anno 27 Car. II. 1675.

'As for the Parliament-Roll of the 1ſt of King Henry the IVth, cauſed to be read by your Lordſhips at the laſt Conference, but not applied; the Commons apprehend it doth not concern the Caſe in queſtion: For that this Record was made upon occaſion of Judgments given by the Lords, to depoſe and impriſon their lawful King; to which the Commons were not willing to be made Parties. And therefore the Commons conceive it will not be for the Honour of your Lordſhips to make farther uſe of that Record.

'But we are commanded to read your Lordſhips the Parliament-Roll of 4 Edw. III. N. 6. which if your Lordſhips pleaſe to conſider, they doubt not but your Lordſhips will find occaſion to apply it to the preſent Purpoſe.

Ordered, The Thanks of the Houſe be given to the Speaker, for his Care in iſſuing the Warrant for retaking the Perſons committed yeſterday into Cuſtody. The Speaker thank'd a ſecond Time.

The Serjeant at Arms was then ordered to be ſent to the Tower; and the other Serjeant at Arms attending, was ordered to apprehend him for betraying his Truſt, in not executing his Office, in bringing the Perſons committed Yeſterday to his Cuſtody, to the Bar of the Houſe.

An Addreſs ordered to be prepared, to be preſented to his Majeſty, to deſire a new Serjeant at Arms to attend the Houſe.

Saturday, June 5, 1675. Mr. Secretary Coventry acquainted the Houſe, that it was his Majeſty's deſire, that the Houſe would adjourn till four of the Clock in the Afternoon, and that both Houſes ſhould at that Time attend him in the Banqueting-Houſe at Whitehall. Mr. Secretary Coventry, in his Majeſty's Name, deſires an Adjournment.

A Debate ariſing touching the Removal of John Popham Eſq; Serjeant at Arms in Ordinary, attending the Houſe yeſterday, the farther Debate thereof was adjourned till Five o'clock in the Afternoon, and then the Houſe adjourned till Four in the Afternoon.

In the Afternoon, the Houſe then met at the Time they adjourned to, and went in a Body to his Majeſty at Whitehall; and the Houſe of Lords being alſo preſent, his Majeſty made the following Speech.

Anno 25 Caroli. 1673.

The King's Speech.

My Lords and Gentlemen,

'YOU may remember, that, at the meeting of this Seſſion I told you no endeavour would be wanting to make the continuance of this Parliament unpracticable. I am ſorry that Experience hath ſo quickly ſhewed you the Truth of what I then ſaid; but I hope you are well convinced, that the Intent of all theſe Contrivances is only to procure a Diſſolution. I confeſs, I look upon it as the moſt malicious Deſign of thoſe who are Enemies to me and the Church of England; and, were the Contrivers known, I ſhould not doubt but the Diſlike of their Practices would alone be a means of bringing the Houſe to a good Underſtanding; but, ſince I cannot preſcribe any way how to arrive to the Diſcovery of it, I muſt tell you plainly my Opinion, that the Means to come to any Compoſure between yourſelves, cannot be without admitting of ſuch free Conferences, as may convince one another by the Reaſons then offered; or enable me to judge rightly of the Differences, when all hath been ſaid on both ſides which the Matter will afford: For I am not to ſuffer theſe Differences to grow to Diſorders in the whole Kingdom if I can prevent it; and I am ſure my Judgment ſhall always be impartial between my two Houſes of Parliament. But I muſt let you know, that whilſt you are in debate about your Privileges, I will not ſuffer my own to be invaded. I have nothing more to ſay to you at this Time, but to deſire, as I did when we met firſt, that you would yet conſider, and not ſuffer ill Men's Deſigns to hinder the Seſſions from a happy Concluſion.'

The Houſe of Lords preſented an Addreſs to his Majeſty to remove the Lieutenant of the Tower; whereupon the Lord Treaſurer reported his Majeſty's Anſwer, viz. 'That his Majeſty hath conſidered the Circumſtances of the Matter, and is not ſatisfied how with juſtice he can remove him.'

The humble Thanks of the Houſe given to his Majeſty.

The Houſe then took into conſideration his Majeſty's Speech, and reſolved, *nemine contradicente*, That the humble Thanks of this Houſe be returned to his Majeſty, for the gracious Expreſſions in his Speech this Day made to both Houſes of Parliament; and ſuch Members of this Houſe as are of his Majeſty's Privy Council are deſired to preſent the humble Thanks of this Houſe to his Majeſty.

Reſolved, That it doth not appear to this Houſe, that any Member thereof hath either contrived or promoted the Difference between the two Houſes of Parliament; or, in aſſerting the Rights of the Commons of England, and the Privileges of this Houſe, hath done any thing inconſiſtent with his

his Duty, or the Truſt repoſed in him. And then adjourned to Monday, June 7.

On Monday, June 7. The Houſe reſolved, that what Serjeant Popham did in retaking the four Lawyers into his Cuſtody, and conducting them to the Tower of London, was in purſuance of his Duty, and by the Order of the Houſe; and the farther Debate concerning the ſaid Serjeant at Arms was adjourned till Wedneſday Morning.

A Copy of an Order from the Houſe of Lords for the hearing Counſel in the Caſe of Sir John Fagg, a Member of this Houſe, to-morrow Morning, was then read and delivered: And reſolved, that as to the Caſe of Appeal brought againſt Sir John Fagg in the Houſe of Lords, he ſhall have the Protection and Aſſiſtance of this Houſe.

Reſolved, nemine contradicente, That if any Perſon or Perſons ſhall be aiding or aſſiſting in putting in execution any Sentence or Judgment that ſhall be given by the Houſe of Lords, upon the Appeal brought by Dr. Shirley againſt Sir John Fagg, a Member of this Houſe, ſuch Perſon or Perſons ſhall be adjudged and taken to be Betrayers of the Rights and Liberties of the Commons of England, and the Privileges of this Houſe, and ſhall be proceeded againſt accordingly.

Ordered, That theſe Votes be made public, by ſetting them up in Weſtminſter-hall, and in the Lobby of this Houſe, and the Clerk of the Houſe to take care to ſee it done.

In the Afternoon, the Houſe proceeded in the farther Conſideration of effectual Means for the Preſervation of their Rights and Privileges, and reſolved, *nem. con.* That no Perſon, committed by Order or Warrant of this Houſe, for Breach of the Privileges or Contempt of the Authority of the Houſe, ought to be diſcharged during this Seſſion of Parliament, without the Order or Warrant of this Houſe.

Reſolved, nem. con. That the Lieutenant of the Tower of London, in receiving and detaining in Cuſtody Sir John Churchill, Serjeant Peck, Serjeant Pemberton, and Mr. Porter, hath performed his Duty according to Law; and for his ſo doing he ſhall have the Aſſiſtanee and Protection of this Houſe.

Reſolved, That the Lieutenant of the Tower, in Caſe he hath, or ſhall receive any Writ, Warrant, Order, or Command, to remove or deliver any Perſon or Perſons committed to his Charge, for Breach of the Privileges, or Contempt of the Authority of the Houſe of Commons, by Order or Warrant of the Houſe, ſhall not make any Return thereof, or yield any Obedience thereto, before he hath

firſt

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first acquainted the House therewith, and received their Order and Direction how to proceed therein.

Ordered, That these Resolutions be immediately sent to the Lieutenant of the Tower, and then the House adjourned.

Tuesday, June the 8th, 1675. A Message sent to the Lords to remind them of the last Conference, upon the Subject Matter delivered by the Lords at the last Conference.

Sir John Robinson, Lieutenant of the Tower, desires the Advice of the House in relation to his Prisoners.

Sir John Robinson informing the House, that he had received the four Lawyers committed to his Custody by this House, and denied to deliver them to the Gentleman-Usher of the Black-Rod; and that he was served last Night with four Writs of *Habeas Corpus*, to bring the said four Lawyers before the King and his Parliament at Westminster this Morning, and craved the Advice of the House what to do therein:

Receives the Thanks of the House.

Ordered, The Thanks of the House to be given to the said Sir John Robinson for his Behaviour therein, and and Mr Speaker intimated to him, that he should forbear to return the said Writs of *Habeas Corpus*, which were read and debated; and the farther Debate thereof was adjourned till to-morrow morning, and a Committee appointed to search the Lords Journals, to see what hath been done in the Case of the four Lawyers, the Writs of *Habeas Corpus*, and Mr. Serjeant Popham, and to search for Precedents on the Writs of *Habeas Corpus*; and adjourned.

Sir Thomas Clarges's Report.

Mercurij, 9 die Junii. Sir Thomas Clarges reports, from the Committee to whom it was referred to search for Precedents touching Writs of *Habeas Corpus*, returnable in Parliament; That the Committee had found several Precedents of Writs of *Habeas Corpus* returnable in Parliament, and had considered of them: And that the Committee thereupon had agreed upon four Resolves to be presented to the House, which he read in his Place, and afterwards delivered the same in at the Clerk's Table, where they being twice read, were upon the Question severally agreed to, and are as follow:

'*Resolved*, *Nem. con.* 1. That no Commoners of England committed by the Order or Warrant of the House of Commons, for Breach of Privilege or Contempt of the Authority of the said House, ought, without Order of the House, to be, by any Writ of *Habeas Corpus*, or any other Authority whatsoever, made to appear and answer, or receive any Determination in the House of Peers, during that Session of Parliament wherein such Persons were so committed.

'*Resolved*, *Nem. con.* 2. That the Order of the House of Peers, for the Issuing out the Writs of *Habeas Corpus* concerning Mr. Serjeant Pemberton, Mr. Serjeant Peck, Sir John

John Churchill, and Mr. Charles Porter, is insufficient and illegal; for that it is general, and expresses no particular Cause of Privilege, and commands the King's Great Seal to be put to Writs not returnable before the said House of Peers.

'*Resolved*, *Nem. con.* 3. That the Lord-Keeper be acquainted with these Resolutions, to the end that the said Writs of *Habeas Corpus* be superseded, as contrary to Law and the Privileges of this House.

'*Resolved*, *Nem. con.* 4. That a Message be sent to the Lords, to acquaint their Lordships, that Mr. Serjeant Peck, Sir John Churchill, Mr. Serjeant Pemberton, and Mr. Charles Porter, were committed by Order and Warrant of this House, for manifest Breach of Privilege, and Contempt of the Authority of this House.'

Ordered, That Col. Birch do go up to the Lords with a Message, that a Conference is desired upon the subject Matter of the last Conference.

The House commanded to attend his Majesty in the House of Peers.

A Message was this Day sent from his Majesty in the House of Lords, by Sir Edward Carteret, Usher of the Black-Rod, commanding this honourable House to attend his Majesty forthwith in the House of Peers; and accordingly Mr. Speaker went up with the House, where his Majesty was pleased to make the following Speech to them.

The King's Speech.

'My Lords and Gentlemen,

'I Think I have given sufficient Evidence to the World, that I have not been wanting on my part, in my Endeavours to procure the full Satisfaction of all my Subjects, in the Matters both of Religion and Property: I have not only invited you to those Considerations at our first Meeting, but I have been careful through this whole Session, that no Concern of my own should divert you from them.

'Besides, as I had only designed the Matter of it to be the procuring of good Laws, so for the gaining of them, I have already waited much longer than I intended; and should have been contented still to have continued my Expectation, had there any Hopes remained of a good Conclusion. But I must confess, the ill Designs of our Enemies have been too prevalent against those good ones I had proposed to myself, in behalf of my People; and those unhappy Differences between my two Houses are grown to such a Height, that I find no possible Means of putting an end to them but by a Prorogation. It is with great Unwillingness that I make use of this Expedient, having always intended an Adjournment, for the Preservation of such Bills as were unfinished. But my Hopes are, that, by this means, the present Occasion of Dif-

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ferences being taken away, you will be ſo careful hereafter of the Public as not to ſeek new ones, nor to revive the old.

'I intend to meet you here again in Winter, and have directed my Lord-Keeper to prorogue you till the thirteenth Day of October next.'

The fifteenth Seſſion of the Second Parliament.

October 13. Both Houſes met, according to Prorogation, after a Receſs or Interval of a little above four Months. And the King open'd the Seſſion with the following Speech to both Houſes:

'My Lords and Gentlemen,

The King's Speech to both Houſes.

'I Meet you now with more than uſual Concern for the Event of this Seſſion; and I know it is but what may reaſonably be expected from that Care I owe to the Preſervation of the Government. The Cauſes of the laſt Prorogation, as I, for my part, do not deſire to remember, ſo I hope no Man elſe will, unleſs it be to learn from thence, how to avoid the like Occaſions for the future: And I pray conſider how fatal the Conſequence may be, and how little Benefit is like to redound to the People by it. However, if any Thing of that Kind ſhall ariſe, I deſire you wou'd defer thoſe Debates, till you have brought ſuch public Bills to perfection as may conduce to the Good and Safety of the Kingdom; and particularly I recommend to you, whatever may tend to the Security of the Proteſtant Religion, as it is now eſtabliſh'd in the Church of England.

'I muſt likewiſe deſire your Aſſiſtance in ſome Supplies, as well to take off the Anticipations which are upon my Revenue, as for Building of Ships; and tho' the War has been the great Cauſe of theſe Anticipations, yet I find, by a late Account I have taken of my Expences, that I have not been altogether ſo good a Husband, as I might have been, and as I reſolve to be for the future: Although, at the ſame time, I have had the Satisfaction to find, That I have been far from ſuch an Extravagancy in my own Expence, as ſome wou'd have the World believe. I am not ignorant, that there are many who wou'd prevent the Kindneſs of my Parliament to me at this Time; but I as well know that your Affections have never fail'd me: And you may remember, it is now above three Years ſince I have ask'd you any thing for my own Uſe. The reſt I refer to my Lord Keeper.'

The Lord Keeper Finch's Speech.

Who ſaid, 'My Lords, and you the Knights, Citizens and Burgeſſes of the Houſe of Commons, The Cauſes of this preſent Aſſembly, and the Reaſons which have mov'd his Majeſty

Majeſty to command your Attendance upon him at this Time, are of the higheſt Importance. The King reſolves to enter into Terms of the ſtricteſt Correſpondence and Endearment with his Parliament; To take your Counſel in his moſt weighty Affairs; To impart all his Cares to you; To acquaint you with all his Wants and Neceſſities; To offer you all that can be yet wanting to make you enjoy yourſelves; To eſtabliſh a right Underſtanding between Himſelf and his Three Eſtates, and between the Eſtates themſelves; to redreſs all your juſt Complaints, and to put all his Subjects at Eaſe, as far as in him lies, and can conſiſt with the Honour and Safety of the Government. And, having made all theſe Advances, he doubts not but you will behave yourſelves like thoſe that deſerve to be call'd the King's Friends, and that you will put him at eaſe too. There is no Cauſe why any Fears of Religion or Liberty ſhou'd divert you: For his Majeſty hath ſo often recommended to you the Conſiderations of Religion, ſo very often deſired you to aſſiſt him in his Care and Protection of it, That the Defender of the Faith is become the Advocate of it too, and hath left all thoſe without Excuſe who ſtill remain under any kind of Doubts or Fears. Again, the Care of your Civil Rights and Liberties hath been ſo much his Majeſty's, that the more you reflect upon theſe Concerns, the more you will find yourſelves obliged to acknowledge his Majeſty's Tenderneſs of you, and Indulgence to you. Search your own Annals, the Annals of thoſe Times you account moſt Happy, you will ſcarce find one Year without an Example of ſomething more ſevere, and more extraordinary, than a whole Reign hath yet produc'd. Peruſe the Hiſtories of foreign Nations, and you ſhall find, Statues and Altars too have been erected to the Memories of thoſe Princes, whoſe beſt Virtues never arriv'd to half that Moderation, which we live to ſee and enjoy. No King did ever meet a Parliament with juſter Cauſe of Confidence in their Affections: And therefore his Majeſty will not ſuffer himſelf to doubt, but relies firmly upon it, that you never will forſake him, when he is under any kind of Difficulties. He doth aſſure himſelf that you will now think fit to provide for his Honour and your own Safety, by helping him to pay ſome part of his Debts, and to make his Navy as Great and as Conſiderable, as it ought to be. For the Greatneſs of the King, is the Greatneſs and Safety of his People. The Springs and Rivers which pay Tribute to the Ocean, do not leſſen, but preſerve themſelves by that Contribution. It is impoſſible that thoſe Affections that Piety and Allegiance firſt planted, which Perſecution cou'd not abate, which the gracious Influences of his Majeſty's happy Government have hitherto encreas'd, ſhou'd now appear to wither

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and decay: But then the best Indication of the Heart is by the Hand. And because it is of infinite Moment to the King's Affairs that there should be a chearful Concurrence to his Supplies, there let Hand and Heart both join in the Oblation, for that will make it a Sacrifice well pleasing indeed.

'My Lords and Gentlemen, The Happiness of this present Age, and the Fate and Fortune of the next too, is very much in your Hands, and at this Time; All that you would desire to settle and improve; All that you wou'd wish to secure and transmit to your Posterities, may now be accomplish'd. Wou'd you raise the due Estimation and Reverence of the Church of England to its just Height? Wou'd you provide for the Safety and Establishment of it? Do there want any Laws to secure the Peace and Quiet of the State? Wou'd you enrich and adorn this Kingdom, by providing for the Extent and Improvement of Trade, by introducing new and useful Manufactures, and by Encouraging those we have already? Wou'd you prevent all Frauds and Perjuries, all Delays and Abuses in the Administration of Justice? Wou'd you preserve a famous City from being depopulated by the Suburbs? Wou'd you restrain the Excess of those new Buildings which begin to swarm with Inhabitants unknown? All your Petitions of this kind will be grateful to the King; and you may with Ease effect all these and much more which your great Wisdoms will suggest to you. A little Time will serve to make many excellent Laws, and to give you the Honour to be the Repairers of all our Breaches; so as that Time be wholly employ'd upon the Public, and not taken up by such Considerations as are less meritorious. If therefore there be any, without Doors, that labour to disunite your Counsels, or to render them ineffectual; If they can hope that the Occasions for this may arise from some Differences within yourselves, or hope by those Differences to disguise their own Disaffections to your good Proceedings; 'tis in your power to defeat those Hopes, to pull off this Disguise, and to secure a happy Conclusion of this Meeting, by studying to preserve a good Correspondence, and by a careful avoiding all such Questions as are apt to engender Strife. And if ever there were a Time, when the Gravity of the Council, the Wisdom, and good Temper of a Parliament were necessary to support that Government which only can support these Assemblies, certainly this is the Hour. You see with what Zeal the King hath recommended to you a good Agreement between yourselves, and that he doth with all the Care and Compassion, all the Earnestness and Importunity, fit for so great a Prince to express, who would be very sorry that any such Misfortune as your Disagree-

ment

ment, shou'd either deprive him of your Advice and Assistance, or his People of those good Laws which he is ready to grant you. There is no other Way our Enemies can think of, by which 'tis possible for this Session to miscarry; for Fears and Jealousies cannot enter here, Calumnies and Slanders will find no place amongst wise and good Men. They that use these Arts abroad, will quickly be discredited, when the World shall see the generous Effects of your Confidence. Men will despair of attempting any Disturbance in the State, when they see every Step that tends that Way, serves only to give you fresh Occasions to testify your Loyalty and your Zeal. You have all the Reason in the World to make Men see this; for you have the same Monarchy to assert, the same Church to defend, the same Interests of Nobility and Gentry to maintain, the same excellent King to contend for, and the same Enemies to contend against.

'And now, my Lords and Gentlemen, since the whole Session of Parliament is, in the Judgment and Construction of our Law, but as one Day, let us all endeavour that the Morning of it, the first Entrance upon it, may be with such fair and auspicious Circumstances as may give the whole Kingdom an Assurance of a bright and chearful Day. Let no ill Humours gather into Clouds to darken or obscure it; for this Day is a Critical Day, and more depends upon that Judgment of our Affairs which will be made by it, than can easily be imagin'd. It imports us therefore to take care that no Part of this Time be lost; let every precious Minute of this Day be spent in receiving such Acts of Grace and Goodness as are ready to flow from the King, and in making such Retributions for them as may become the grateful Hearts of the best of Subjects to the best of Kings. So shall this Day become a Day of Disappointment and Discomfort to our Enemies, but to us and all good Men a Glorious Day, a Day of Triumph and Deliverance, a Memorable and Joyful Day to this present, and to all future Generations.'

The Proceedings of the House.

'Business began in the House of Commons with reassuming such public Bills as they had set on foot in the last Session, and others that prov'd to the more immediate Liberty of the Subject; as the Bill for Habeas Corpus; that against sending Men Prisoners beyond Sea; another against raising Money without Consent of Parliament; a fourth against Papists sitting in either House; another for speedier Convicting of Papists; another for recalling the King's Subjects out of the French Service, &c. But a private Quarrel happening between the Lord Cavendish, Sir Thomas Meers, and Colonel Thomas Howard in St. James's Park, in which they thought the Honour of the House concern'd, they first sent the Lord Cavendish, one of their Members, and afterwards Colonel Howard,

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Howard, to the Tower: And then ordered a Bill to be brought in, to prevent Challenges, Duels and Quarrels, and the Miſchiefs that may thereby enſue.

After a Week's Sitting, the Commons began to think of a Supply, and took into Conſideration all the Charges and Expences of the late War. The Account of which ſtands thus in the Journals of the Houſe of Commons. The Charges of the two Years War amounted to two Millions and forty thouſand Pounds; and what was given by the Parliament, what aroſe from the Cuſtoms that ought to have been appropriated, and what was gain'd by the Prizes, and the Dutch Contributions at laſt, did all together amount to three Millions and forty thouſand Pounds; ſo there remain'd a full Million miſapply'd or waſted by ill Management. In conſequence of which they add, 'That, at the Beginning of this War, by the illegal ſtopping of the Exchequer, the reſt of the Revenue, as well as the Cuſtoms before mention'd, were diſcharg'd of all Incumbrances, and became a clear Revenue to the Crown, and was more than enough to ſatisfy all other reaſonable Expences of the Crown and Government ever ſince, and ſo there is no Reaſon to give a Tax whilſt we continue in a Peace. But if it be objected, That ſince the ſaid Million of Money is gone, and this overgrown Revenue is all ſpent, and even now goes on to be further charg'd in theſe two Years of Peace, than it was left charg'd after the ſaid two Years of War; and tho' it is own'd Things are much amiſs, and the management very ill, wiſhing it might be amended, yet the Parliament muſt look forwards, the Government muſt be ſupported, the Councils muſt not be made deſperate, and therefore the King muſt be ſupply'd: The Anſwer is, That this Kind of Reaſoning and Timorouſneſs hath brought on us all the Taxes and Miſchiefs we have ſuffer'd theſe Nine Years paſt, and yet nothing is amended; and they ſtill go on, till they are made deſperate, which the Parliament ought to prevent. There is no Fear of Breaking the Bankers the Second Time, and paying Debts by that diſhonourable Way; it is eaſy to demonſtrate how the laſt contracted Debt may be in a few Years diſcharg'd by the Revenue, and his Majeſty's neceſſary Expences ſufficiently ſupply'd by honeſt and careful Management. No Parliament is oblig'd to pay the King's Debts by a Tax: By the like Reaſoning we ought to pay ſuch another about a Year and a half hence, and ſo encourage the Court to exact two Millions and a half yearly, as hitherto they have done, to the great Diſquiet and Impoveriſhment of the Nation; and if (unlook'd for) they ſhou'd prove good Husbands or frugal, then to the imminent Hazard and Loſs of Parliaments, and the antient Liberties of the Subject, as now in France. Since the War is

The Accounts of the Nation ſtated.

Arguments thereon.

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pended, the whole Charge of the Government both by Sea and Land amounts not to above ſeven hundred thouſand Pounds *per Annum*; and the clear Income of the Revenue at preſent comes at leaſt to fifteen hundred thouſand Pounds *per Annum*; *Quære*, What is become of near 8 Million *per Annum*? And yet the King hath theſe two Years laſt, *proh Dolor!* anticipated his Revenue near a Million more, as his Creatures, and worthy Truſtees for their Country, have confeſs'd in Parliament, as a powerful Argument to enforce the Commons to pay ſuch Debts, and by a farther Law entail perpetual Anticipations upon the Kingdom, to its utter Ruin and Deſolation.'

Upon Conſideration of all this, they finally Reſolv'd, 'That they wou'd not grant any Supply to his Majeſty for the taking off the Anticipations that were upon his Revenue.' But ſoon after they voted a Supply of three hundred thouſand Pounds for the Building of twenty Ships of War, *viz.* One firſt Rate, of fourteen hundred Tun; Eight ſecond Rates, of eleven hundred Tun; and Eleven third Rates, of ſeven hundred Tun. But again reſolv'd to appropriate the ancient Tunnage and Poundage to the Uſe of the Navy; which prov'd very unacceptable to the Court. Another Thing under Conſideration was the Trade with France; concerning which * Sir George Downing deliver'd in the following Paper, entitled, 'A Schedule of the Trade, as it is at preſent carry'd on between England and France, in Commodities of the Native Product and Manufacture of each Country, calculated as exactly as poſſible, in Obedience to the Command of the right honourable the Lords Commiſſioners for the Treaty of Commerce with England, humbly tender'd to your Lordſhips.' The Particulars of the Commodities exported from England to France, and the Commodities imported from France into England, are for Brevity ſake omitted; and by the Accounts given to the Lords Commiſſioners, it is perceiv'd, That the Linnen and Silk Manufactures only imported from France amount to upwards of eight hundred thouſand Pounds; and that the Manufacture of Wool and Silk exported into France, doth not amount to eighty five thouſand Pounds; as alſo that all other Commodities of the Product and Manufacture of England, exported into France, do not amount to ninety thouſand Pounds more: Whereas the Wine, Brandy, and other Commodities of the Product and Manufacture of France imported into England, amount to upwards of three hundred thouſand Pounds, beſides an incredible Value of Toys, rich Apparel, Point-Lace, &c. and ſo it is apparent that the Exports of our natural Commodities and Manufactures to France, are leſs in Value by at leaſt a Million Sterling than the Native Commodities and Manufactures of France, which we receive from thence; And if your

A Supply voted.

An Account of the Trade with France, deliver'd by Sir George Downing.

* *Commiſſioner of the Cuſtoms, and Teller of the Exchequer.*

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your Lordſhips pleaſe to reflect thereupon, they will diſcover the Prejudices the Engliſh Nation ſuſtains, and the great Advantages the French have, and do eaſily make by holding the Treaty in ſuſpenſe; this Notice upon the Matter excluding Trade thither, whilſt in the mean time the French enjoy all and as great Advantages, as they can reaſonably expect by any Treaty. Upon this Subject they order'd a Bill to be brought in, which was receiv'd with Approbation.

About this Time the Houſe having been ſurmiz'd to be under a corrupt Influence, the following Teſt was brought in for every Member to take by way of Purgation. This Teſt never being publiſh'd, will be worth the Remembring, and runs thus: 'I A. B. do proteſt before God, and this Houſe of Parliament, that directly nor indirectly, neither I, nor any for my Uſe, to my knowledge, have, ſince the firſt Day of January 1672, had, or received any Sum or Sums of Money by ways of Impreſt, Gift, Loan, or otherwiſe from the King's Majeſty, or any other Perſon by his Majeſty's Order, Direction or Knowledge, or by Authority deriv'd from his ſaid Majeſty, or any Pardon, Diſcharge, or Reſpite of any Money due to his ſaid Majeſty upon Account, or any Grant, Penſion, Gratuity, or Reward, or any Promiſe of any ſuch Office, Place or Command, of or from his Majeſty, or out of any Money, Treaſure, or Eſtate, of or belonging to his Majeſty, or of, from, or by any foreign Ambaſſador, or Miniſter, or of, or from or by any other Perſon in the Name, or by the Appointment, or with the Knowledge of his Majeſty, or any of them; otherwiſe than what I have now in Writing faithfully diſcover'd, and deliver'd to this Houſe, which I have ſubſcrib'd with my Name: Neither do I know of any ſuch Gift, Grant, or Promiſe ſo given or made ſince the ſaid Time to any other Member of this Houſe, but what I have alſo inſerted in the ſaid Writing; nor have I given my Vote in Parliament for any Reward or Promiſe whatſoever. So help me God, *&c.*

A new Teſt againſt Bribery.

But while the Houſe had theſe important Matters under Deliberation, one Monſieur Luzancy, a converted Papiſt, informed the Houſe of his being compell'd, on pain of his being aſſaſſinated, or forc'd beyond Sea, by one Mr. St. Germain a celebrated Jeſuit, to a Recantation, to which he added the following Particulars, *viz.* 'The ſaid Monſieur St. Germain, ſeveral times conferring with Me, has atteſted to me what follows: 1. That the King was a Roman-Catholic in his Heart. 2. That the Court were endeavouring to get a Liberty of Conſcience in England for the Roman-Catholics; and, that granted, in two years moſt of the Engliſh wou'd acknowledge the Pope. 3. That he knew the King's Intentions concerning Religion, and that he was ſure his Majeſty wou'd approve of all he ſhou'd do in that Matter.

The Complaint of Mr. Luzancy to the Houſe.

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4. That he laugh'd at the Parliament, as being only a Wave that had but a little Time; and ſaid, that nobody was better welcome at Court, and had greater Intrigues with any of the Nobility than He. 5. That it was good ſometimes to force People to Heaven; and that there were an Infinite Number of Friers and Jeſuits in London, that did God very great Service. All theſe Things will be ſworn by Mr. Luzancy to have been affirm'd by the Jeſuit St. Germain, who is the buſieſt Man amongſt them all againſt Proteſtants; and many Perſons of good Credit and Repute are alſo ready to juſtify upon Oath, that ſeveral of the Roman-Catholics have ſpoken Things quite as bad, or worſe: In a word, they are grown ſo bold and inſolent, eſpecially the French and Iriſh, that a Proſelyte cannot walk the Streets, without being threatned at every Step, and call'd a thouſand opprobrious Names.

The Conſequences of this, was a Deſign in both Houſes to vouchſafe a Toleration to Proteſtant Diſſenters. But while this, and ſeveral other Bills were depending, the unfortunate Conteſt was revived between the two Houſes, concerning Dr. Shirley and Sir John Fagg; the former having continu'd his Proceſs againſt the latter, and the Lords themſelves adhered to their firſt Hearing of his Appeal. Upon which the Commons proceeded as follows:

The revival of the Diſpute between the two Houſes, occaſioned by Dr. Shirley's Appeal to the Lords.

Saturday, Nov. 13. 1675. An Order from the Lords to hear Sir John Fagg's Cauſe to-morrow Morning, was this Day read in the Houſe of Commons, and debated, and the farther Debate thereof adjourned till Monday morning next.

Monday, Nov. 15. The Houſe reſolved, that the proſecuting Appeals in the Lords Houſe, by Dr. Thomas Shirley againſt Sir John Fagg, a Member of this Houſe, is a Breach of the Privileges of this Houſe; and that the ſaid Sir John Fagg do not make any Defence at the Lords Bar, in the ſaid Appeal; and the farther Debate thereof was adjourned till to-morrow Morning.

Tueſday, the 16th, adjourned the farther Debate of Sir John Fagg's Buſineſs till to-morrow Morning; and on Wedneſday, adjourned the farther Debate till Thurſday; when Sir John Fagg's Buſineſs was reſumed, and reſolved that a Conference be deſired of the Lords for avoiding Differences between the two Houſes, and then adjourned till Friday Morning.

Friday the 19th. Sir William Coventry reports from the Committee, to whom it was referred, to prepare and draw up Reaſons to be offered at the Conference to be deſired with the Lords, for avoiding the Occaſions of reviving the Differences between the two Houſes; and a Paper of Reaſons agreed by the ſaid Committee, to be reported to

Sir William Coventry's Report relating thereto.

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the Houſe, being read, and the ſame being agreed to, is as followeth, *viz.*

A Paper propos'd to be deliver'd to the Lords at a Conference.

His Majeſty having recommended to us, at the Opening of this Seſſion of Parliament, the avoiding this Difference, if poſſible; and if it could not be prevented, that then we ſhould defer theſe Debates till we had brought ſuch public Bills to perfection, as may conduce to the Good and Safety of the Kingdom: The Commons eſteem it a great Misfortune, that, contrary to that moſt excellent Advice, the Proceedings in the Appeal, brought the laſt Seſſion againſt Sir John Fagg, by Mr. Shirley, have been renewed, and a Day ſet for hearing the Cauſe; and therefore the Commons have judged it the beſt way, before they enter into the Argument of Defence of their Rights in this Matter, to propoſe to your Lordſhips, the putting off the Proceedings in that Matter for ſome ſhort time; that ſo they may, according to his Majeſty's Advice, give a Diſpatch to ſome Bills now before them, of great Importance to the King and Kingdom; which being finiſhed, the Commons will be ready to give your Lordſhips ſuch Reaſons againſt thoſe Proceedings, and in Defence of their Rights, as we hope may ſatisfy your Lordſhips, that no ſuch Proceedings ought to have been.

Reſolved, That a Meſſage be ſent to the Lords, to deſire a Conference, to preſerve the good Correſpondence between the two Houſes.

Reſolved, That whoſoever ſhall proſecute any Appeal before the Lords, againſt any Commoner of England, from any Court of Equity, ſhall be deemed a Betrayer of the Rights and Privileges of the Commons of England; and ſhall be proceeded againſt accordingly: And the Reſolution ordered to be affixed in the Lobby, Weſtminſter-Hall-Gate, and all Inns of Court and Chancery; and then adjourn'd till next Morning.

Dr. Shirley ordered into Cuſtody.

Nov. 20. *Ordered*, That Dr. Thomas Shirley be taken into Cuſtody by the Serjeant at Arms attending this Houſe, as alſo Sir Nicholas Stanton, for ſerving Mr. Onſlow with an Order to attend the Lords; and then adjourned to Monday, Nov. 22. When his Majeſty, a ſecond Time, put a Stop to the Broil, by proroguing the Parliament to February come Twelve-month.

The ſixteenth Seſſion of the ſecond Parliament.

Feb. 15, 1676-7. The Parliament met according to Prorogation, after an Interval of almoſt fifteen Months, when the King thus addreſs'd himſelf to both Houſes:

The King's Speech to both Houſes.

'My Lords and Gentlemen,

'I Have called you together again after a long Prorogation, that you might have an Opportunity to repair 'the Misfortunes of the laſt Seſſion, and to recover and 'reſtore

restore the right Use of Parliaments. The Time I have given you to recollect your selves in, and to consider whether those Differences tend, which have been so unhappily manag'd and improv'd between you, is enough to leave you without all Excuse, if ever you fall into the like again. I am now resolv'd to let the World see, That it shall not be my Fault, if they be not made happy by your Consultations in Parliament. For I declare my self very plainly to you, that I am prepared to give you all the Satisfaction and Security in the great Concerns of the Protestant Religion, as it is establish'd in the Church of England, that shall reasonably be ask'd, or can consist with Christian Prudence; and I declare my self as freely, that I am ready to gratify you in a further Security of your Liberty and Property (if you can think you want it) by as many good Laws as you shall propose, and as can consist with the Safety of the Government, without which there will neither be Liberty nor Property left to any Man.

'Having thus plainly told you what I am ready to do for you, I shall deal as plainly with you again, and tell you what it is I do expect from you. First, I do expect and require from you, that all Occasions of Differences between the two Houses be carefully avoided; for else they, who have no Hopes to prevent your good Resolutions, will hope by this Reserve to hinder them from taking any Effect. And let all Men judge who is most for arbitrary Government, they that foment such Differences as tend to dissolve all Parliaments; or I, that wou'd preserve this and all Parliaments from being made useless by such Dissensions. In the next place, I desire you to consider the Necessity of building more Ships, and how much all our Safeties are concern'd in it. And since the additional Revenue of Excise will shortly expire, you that know me to be under a great Burden of Debts, and how hard a Shift I am making to pay them off as fast as I can, I hope will never deny me the Continuance of this Revenue, and some reasonable Supply to make my Condition more easy. And that you may be satisfy'd how impossible it is (whatsoever some Men think) to support the Government with less than the present Revenue, you may at any time see the yearly establish'd Charge; by which it will appear, that the constant and unavoidable Charge being paid, there will remain no Overplus towards the discharging those Contingencies which may happen in all Kingdoms, and which have been a considerable Charge to me this last Year. To conclude, I do recommend to you the Peace of the Kingdom, in the careful Prevention of all Differences; the Safety of the Kingdom, in providing some greater Strength at Sea; and the

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'Prosperity of the Kingdom, in assisting the necessary 'Charge and Support of the Government. And if any of 'these good Ends shou'd happen to be disappointed, I call 'God and Man to witness this Day, that the Misfortune of 'that Disappointment shall not lie at my Door. The rest 'I refer to the Chancellor.' Who delivered himself in effect as follows;

The Lord Chancellor's Speech.

'My Lords, &c. By the most gracious Pleasure of the King, you are here again assembled to hold another Session of this Parliament; wherein the King expects your Advice and your Assistance; your Advice in the Matters of the highest Deliberation, your Assistance in Matters of extreme and pressing Difficulty. Your Deliberations will chiefly be exercis'd about those Things which belong to your Peace, the Peace of the Church, and the Peace of the State; two Considerations of so close a Connexion between themselves, that in the very original Writ of Summons, by virtue of which you still sit here, they are jointly recommended to your Council and Care. The Peace of the Church is harder to preserve than the Peace of the State; for they, who desire Innovations in the State, most commonly begin the Attempt upon the Church. And by this means it comes to pass, that the Peace of the Church is so often disturb'd, not only by those poor mistaken Souls, who deserve to be pity'd, but by malicious and designing Men, who deserve to be punish'd: And while Things continue in this Estate, it cannot be avoided but that the Laws which are necessary to restrain the Malicious, must and will sometimes disquiet and wound those that are weak. What Remedies are fit for this Disease, whether the Fault be in the Laws, or the Men, in the Men that should obey, or in the Men that should execute; whether the Cure be a Work of Time and Patience, or of Zeal and Diligence; or whether any new Expedient can be found to secure the Ship from that Storm which the swelling of two contrary Tides seems to threaten, is wholly left to your Advice: The King hath call'd you for that End, and doubts not but your Councils will be such as shall tend to Safety and to Establishment.'

'The Peace of the State requires as much of your Care and Vigilance too: Our Peace at Home, and our Peace Abroad. As for that Abroad, we are at this time, blessed be God for his Mercy to us, and the King for his Care of us, in perfect Peace with all the Nations upon Earth: Such a Peace as makes us the Envy of the Christian World, and hath enabled us to do ourselves Right against the Infidels: Such a Peace as brings with it all the Fruits of Peace, and deserves not only our Prayers for the continuance of it, but our best and most watchful Care that nothing may be done on

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our Part to give it an Interruption. But then we muſt conſider again, that our Peace abroad will not ſubſiſt any longer than while we maintain our Peace at home: For without this, no Kingdom can be able to act in its full Strength; and without that, the Friendſhip and Enmity of any Nation ceaſes to be conſiderable to its Neighbours. Now 'tis a great and dangerous Miſtake in thoſe, who think the Peace at Home is well enough preſerv'd, ſo long as the Sword is not drawn; whereas in truth nothing deſerves the Name of Peace, but Unity: Such an Unity as flows from an unſhaken Truſt and Confidence between the King and his People, from a due Reverence and Obedience to the Laws, and to his Government, from a religious and awful Care, not to remove the ancient Land-marks, not to diſturb thoſe Conſtitutions which Time and the public Convenience have ſettled, from a Zeal to preſerve the whole Frame and Order of the Government upon the old Foundations, and from a perfect Deteſtation and Abhorrency of all ſuch as are given to change: Whatever falls ſhort of this, falls ſhort of Peace too. If therefore there be any Endeavours to renew, nay if there be not all poſſible Endeavours to extinguiſh the Memory of all former Provocations and Offences, and the Occaſions of the like for the future; if there be ſuch Diviſions as beget great Thoughts of Heart; ſhall we call this Peace, becauſe it is not War, or becauſe Men do not yet take the Field? As well we may call it Health, when there is a dangerous Fermentation in the Blood and Spirits, becauſe the Patient hath not yet taken his Bed.'

Then, laying open the Difficulties with relation to the Weakneſs of the Fleet and King's particular Debts, he proceeded thus: 'One Difficulty more there is, without which all the reſt were none, and that is the ſtrange Diffidence and Diſtruſt, which, like a general Infection, begins to ſpread itſelf through all the Corners of the Land. Much of this riſes from the Artifice of ill Men, who create and nouriſh all the Suſpicions they can deviſe; but the Cure of it lies perfectly in your Hands, for all will preſently vaniſh as ſoon as Men ſhall ſee your Acquieſcence, and the Fruits of it in a chearful Concurrence with his Majeſty to all theſe good and public Ends which he hath now ſo earneſtly recommended to you. It wou'd be ſomewhat ſtrange, and without all Example in Story, that a Nation ſhou'd be twice ruin'd, twice undone, by the ſelf-ſame Ways and Means, the ſame Fears and Jealouſies. Will any Man that but gives himſelf leave to think, refuſe to enjoy and take comfort in the Bleſſings that are preſent, only for fear of future Changes and Alterations? Surely it is enough for any Kingdom, and more than moſt Kingdoms of the World can boaſt of, to have their Affairs

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fairs brought into such Condition, that they may, in all human Probability, and unless by their own Default, continue a long time safe and happy. Future Contingencies are not capable of any certain Prospect: A Security beyond that of human Probability, no Nation ever did or ever shall attain to. If a Kingdom be guarded by Nature against all Dangers from without, and then will rely too much upon what Nature hath done for them; If a Kingdom be warn'd and caution'd against all Dangers from within, by former Experiences, and then will either forget, or make no use of those Experiences; If a Kingdom be powerful in Shipping and Navigation, and then see their Neighbours endeavouring to overpower them that way, without being solicitous to augment and reinforce their own naval Strength; If a Kingdom be happy in the frequent Assemblies of their great Councils, where all that is grievous may be redress'd, and all that is wanting may be enacted, and then will render those Councils useless and impracticable, by continuing endless Distractions; who can wonder if their Affairs shou'd begin to be less prosperous, when otherwise, humanly speaking, and in all common Probability, their Condition wou'd have been out of the Reach of Fortune, and their Security in a manner impregnable.

My Lords and Gentlemen, If the presaging Malice of our Enemies shou'd portend any such Fate as this to befal us, the Wisdom and Magnanimity of this great Council will quickly be too hard for all their Auguries: The Honour and Loyalty of this august and venerable Assembly will leave no kind of room for such Divinations. You, that have the Happiness to live under so excellent a Monarchy, so admirable a Constitution and Temper of Government; You, that remember what the Want of this Government cost us, and the miserable Desolations which attended it, have all the Motives, and are under all possible Obligations to secure and advance the Interest of it. The King, on his part, meets you with so open and so full a Heart, and so absolutely resolved to do his utmost to glad the Hearts of his People, that it must be the strangest Infelicity in the World, if either he or his Subjects shou'd meet with any Disappointments here. For the King hath no Desires but what are public, no Ends or Aims which terminate in himself; all his Endeavours are so entirely bent upon the Welfare of his whole Dominions, that he doth not think any Man a good Subject who doth not heartily love his Country: And therefore let no Man pass for a good Patriot, who doth not heartily love and serve his Prince. Private Men indeed are subject to be misled by private Interests, and may entertain some vain and slender Hopes of surviving the Public; but a

Prince

Prince is sure to fall with it, and therefore can never have any Interests divided from it. To live and die with the King is the highest Profession a Subject can make, and sometimes is a Profession only and no more; but in a King 'tis an absolute Necessity, 'tis a Fate inevitable, that he must live and die with his People. Away then with all the vain Insinuations of those who infuse a Misbelief of the Government: Away with all those ill-meant Distinctions between the Court and the Country, between the natural and the politick Capacity; and let us all who go about to persuade others that there are several Interests, have a care of that Precipice to which such Principles may lead them: For the first Men that ever began to distinguish of their Duty, never left off till they had quite distinguish'd themselves out of their Allegiance. Let no Contention then come near this Place, but that of a noble Emulation who shall serve his Country best, by well serving of the King; Let no Passion enter here, but that of a pious Zeal to lay hold upon all Opportunities of promoting the Honour and Service of the Crown, till our Enemies despair of ever profiting by any Disorders amongst us. And let all who pray for the long Life and Prosperity of the King, add their Endeavours to their Prayers, and study to prolong this sacred Life, by giving him all the Joys of Heart which can arise from the Demonstrations of the lively and the warm Affections of his People.

April 3. 1707.

As soon as the House proceeded to Business, a Motion was made for a Supply, which, after some little Debate, was granted; that is to say, 584,000*l.* was voted for the building and furnishing Thirty Men of War, and without appropriating any Part of the Customs. And whereas the additional Excise upon Beer and Ale, which had been granted upon the Triple Alliance, was now of course to expire on the 24th of June this Year, a Bill for continuing of it three Years longer likewise pass'd without any difficulty. Yet they refus'd three Bills sent down from the Lords, one entitled, *An Act for securing the Protestant Religion, by educating the Children of the Royal Family, and providing for the Maintenance of the Protestant Clergy.* Another, *For the more effectual Conviction and Prosecution of Popish Recusants.* A third, *For the Regulation of the Press*, with a Clause *to break open a House on Suspicion of any Pamphlets.* The two first they rejected, as not answering the Ends of their Titles; and the last was too severe, at a Time when they thought the People under some Necessity of declaring their Minds, especially against the growing Power of France. This last seem'd their great Concern; and the general Disposition of the House was either for declaring War, or making stricter Alliances

584,000 *l.* voted.

The additional Excise upon Beer and Ale granted for three Years longer.

Three Bills from the Lords rejected.

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Alliances for preventing the Progreſs of the French Conqueſts in Flanders, and on the Rhine, which now began to appear more formidable than ever. Accordingly they made this following Addreſs to the King: 'We your Majeſty's moſt loyal Subjects, &c. do moſt humbly offer to your Majeſty's Conſideration, that the Minds of your People are much diſquieted with the manifeſt Dangers ariſing to your Majeſty by the Growth and Power of the French King; eſpecially by the Acquiſitions already made, and the further Progreſs like to be made by him, in the Spaniſh Netherlands, in the Preſervation and Security whereof, we humbly conceive the Intereſt of your Majeſty, and the Safety of your People are highly concern'd; and therefore we humbly beſeech your Majeſty to take the ſame into your Royal Care, and to ſtrengthen yourſelf with ſuch ſtricter Alliances, as may ſecure your Majeſty's Kingdoms, and ſecure and preſerve the ſaid Spaniſh Netherlands, and thereby quiet the Minds of your Majeſty's People.' To which the King ſhortly after gave this following Anſwer; 'That his Majeſty was of the 'Opinion of his two Houſes of Parliament; that the Preſer-'vation of Flanders was of great Conſequence; and that 'he wou'd uſe all Means in his power for the Safety of his 'Kingdom.'

An Addreſs to the King on the Growth of the Power of France.

The King's Anſwer.

Shortly after, on the 26th of March, they drew up a ſecond Addreſs, as follows: 'We your Majeſty's moſt loyal Subjects, &c. do with unſpeakable Joy, and Comfort, preſent our humble Thanks to your Majeſty, for your Majeſty's gracious Acceptance of our late Addreſs, and that your Majeſty was pleas'd in your Princely Wiſdom to expreſs your Concurrence and Opinion with your two Houſes in reference to the Preſervation of the Spaniſh Netherlands. And we do with moſt earneſt and repeated Deſires implore your Majeſty, that you would be pleas'd to take timely Care to prevent thoſe Dangers that may ariſe to theſe Kingdoms by the great Power of the French King, and the Progreſs he daily makes in thoſe Netherlands and other Places. And therefore that your Majeſty wou'd not defer the entering into ſuch Alliances as may obtain thoſe Ends; and in Caſe it ſhall happen that, in purſuance of ſuch Alliances, your Majeſty ſhou'd be engag'd in a War with the French King, we do hold ourſelves oblig'd, and do with all Humility and Chearfulneſs aſſure your Majeſty, that we your moſt loyal Subjects ſhall always be ready, upon Signification thereof in Parliament, fully, and from Time to Time, to aſſiſt your Majeſty with ſuch Aids and Supplies, as, by the divine Aſſiſtance, may enable your Majeſty to proſecute the ſame with ſucceſs. All which we do moſt humbly offer to your Majeſty, as the unanimous Senſe and Deſire of the whole Kingdom.'

A ſecond Addreſs concerning Alliances.

Upon

Upon a ſolemn Debate in the Houſe, thoſe againſt the Addreſs argu'd and alledg'd *, 'That to preſs the King to make further Alliances with the Confederates againſt the French King, was in effect to preſs him to a War, that being the direct and unavoidable Conſequence thereof: That the Conſideration of War was moſt proper for the King, who had full Intelligence of Foreign Affairs, and knew the *Arcana Imperii*. That it was a dangerous thing, haſtily, to incite the King to a War; ſince our Merchant-Ships and Effects would immediately be ſeiz'd by the French King, who would thereby probably acquire the Value of near a Million to enable him to maintain the War againſt us: That he would fall upon our Plantations, and take, plunder, and annoy them: That he would ſend out abundance of Privateers, and take, and diſturb our Trading Ships in theſe Seas, and in the Mediterranean.' It was further alledg'd, 'That, at preſent, we had not ſo many Ships of War as he, and thoſe Thirty which were to be built with the ſix hundred thouſand Pounds now given, could not be finiſh'd in two Years: That we had not Naval Stores and Ammunition, *&c.* ſufficient for ſuch a purpoſe; and if we had, yet the Seaſon of the Year was too far advanc'd to ſet out a conſiderable Fleet, and we could not now lay in Beef, Pork, *&c.* That when we were engaged in a War, the Dutch would probably leave us in it, and ſo gain to themſelves the ſingular Advantage of ſole Trading in Peace, a Privilege we now enjoy, and ſhould not be weary of. That it was next to impoſſible, to make Alliances with the ſeveral Parties as might be expected, ſuch and ſo various were the Intereſts and Croſs-Biaſſes, of and amongſt the Emperor, the Spaniard, the Dane, the Dutch, the Brandenburger, and the ſeveral leſſer Princes of Germany, and others. That we may eaſily enter into a War, but it would be hard to find the way out of it, and a long War would be deſtructive to us; for the Emperor, the French, Spaniard, &c. uſe to maintain War for many Years; yet a trading Nation, ſuch as England, could not endure a tedious War.'

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Debates upon the Arguments againſt the Addreſs.

In anſwer to theſe Allegations, on the other ſide it was inſiſted on, 'That they did not addreſs for making War, but making Leagues, which might be a means to prevent a War That the beſt way to preſerve Peace, was to be in a preparation for War: That admitting a War ſhould enſue thereupon, as was not unlikely, yet in concluſion that would tend to our Peace and Safety; for it could not be deny'd, That, if the Power of France were not reduc'd, and brought to a more equal Balance, we muſt, firſt or laſt, fight or ſubmit. That it was commonly the Fate of thoſe who kept themſelves

Thoſe for it.

* *We have this, and the following Debates, on the Authority of the celebrated Mr. Andrew Marvell, then Member for Kingſton upon Hull.*

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neutral, when their Neighbours were at War, to become a Prey to the Conqueror. That now or never was the Season to make war with France, while we may have such Auxiliaries; and if it were a formidable thing to engage him now, how much more when this opportunity was loſt, the Confederacy diſſolv'd, and we left to withſtand him alone? That as to his ſeizing our Merchants Effects, the Caſe is the ſame now as it would be three Years hence, or whenever the War ſhall commence: And as to our Plantations and Traders, we muſt look upon the French as powerful, but not omnipotent; and we may as well defend them as the Dutch do theirs by Convoys, &c. and chiefly when the French ſhall have ſo many Enemies, and we ſo many Friends, as no other time is like to afford. They were ſorry, indeed, to hear we wanted Ships, Stores, &c. but hoped it would appear to be otherwiſe. That the Seaſon was not ſo far ſpent, but that a competent Fleet might be ſet out this Summer; and that, however defective we might be in this kind, the Dutch were ready to make an effectual Supplement in that behalf. That, however ill and falſe ſome Men might eſteem the Dutch, yet Intereſt will not lie; and it is ſo much their Intereſt to confine and reduce the French, that it is not to be imagin'd, but that they will ſteadily adhere to every Friend, and every Alliance they ſhall join with for that purpoſe. That however various the ſeveral Confederates and their Intereſts were, yet a common Alliance might be made with them againſt the French, and the preſent Alliance may be extended to England. That a numerous and vigorous Conjunction againſt the French King is the way to ſhorten the Work; whereas, if he ſhould hereafter attack us ſingly, he would continue the War on as long as he pleas'd, till he made an end of it and us together by our final Deſtruction.' In concluſion they urg'd, 'That the preſent was the beſt time for the purpoſe, and that it would give Reputation to the Confederates, and immediate Comfort and Courage to our beſt Friends, and Safety to our ſelves in futurity againſt the old perpetual Enemy of England.'

The Addreſs carry'd.

The Arguments on this ſide prevail'd; and the ſecond Addreſs was preſented to his Majeſty on the 30th of March, but they receiv'd no Anſwer till 12 Days after. In the mean time they vigorouſly proceeded in the finiſhing of ſeveral good Bills, as one for taking away the Writ *de Hæretico Comburendo*, a Law that made many People very uneaſy, eſpecially now when the Fears of Popery were increaſing. Another againſt the Profanation of the Lord's-Day: A third for the Augmentation of ſmall Vicarages. Another remarkable one againſt Fraud and Perjuries, with ſome others. While they were thus buſily employ'd, on the 11th of April, they

receiv'd

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receiv'd this Meſſage from the King: 'His Majeſty, having 'conſider'd your laſt Addreſs, and finding ſome late Alte-'rations in Affairs abroad, thinks it neceſſary to put you in 'mind that the only way to prevent the Dangers which may 'ariſe in theſe Kingdoms, muſt be by putting his Majeſty time-'ly in a condition to make ſuch fitting Preparations as may 'enable him to do what may be moſt for the Security of 'them. And if, for this Reaſon, you ſhall deſire to ſit any 'longer time, his Majeſty is content you may adjourn now 'before Eaſter [this Year the 15th of April,] and meet a-'gain ſuddenly after, to ripen this matter, and to perfect 'ſome of the moſt neceſſary Bills now depending.'

The King's Meſſage to them.

Upon this Meſſage it was mov'd, that the Houſe ſhould adjourn till after Eaſter, with a Reſolution to enable the King to make ſuch Preparations as ſhould be thought neceſſary; and alſo paſs ſome neceſſary Bills for the Kingdom; 'Which if they did not, the blame of the Neglect muſt reſt upon themſelves, and it would be obſerv'd, they had not ſate to any Effect this four Years; and that now they had a Seſſi-on, and given a Million, they took little care to redreſs Grievances, or paſs good Laws for the People; and that they ſhould not be able to give any Account of themſelves to their Neighbours in the Country, unleſs they ſhould face them down, that there was no Grievance or Miſchief in the Nation to be redreſs'd, and that the King had ſtopp'd their Mouths by offering them to ſit longer.' Others ſaid, 'They ſhould perfect two Money-Bills, and give the King Eaſe, and take another Time to conſider further of Reli-gion, Liberty and Property, eſpecially ſeeing all Bills now depending would be kept on foot; the intended Receſs being deſign'd only for an Adjournment: That they had very good Laws already, and would give their Shares in any new ones they were making, to be in the Country at the preſent Time; that it was neceſſary for them to be there the 10th of May, to execute the Money Bill, and ſome time was to be allow'd for their Journeys, and Reſt after it; that the paſſing ſome neceſſary Bills, came in the End of the King's Meſſage, and by the by; for his Majeſty ſaith, 'That if 'for this Reaſon, that is, for making of Preparations, &c. 'they ſhould deſire to ſit longer;' and if ſo, then alſo take Opportunity of paſſing ſuch Bills. So the Senſe and Incli-nation of the Houſe was to riſe before Eaſter, as had been before intimated and expected. Then they fell upon the main Conſideration of the Meſſage, and to make a preſent Anſwer.

Debates upon it.

The Secretary, and other Miniſters of State ſaid, That the Alteration of Affairs which his Majeſty took notice of, was

The Senſe of the Miniſters.

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was the Succeſs of the French againſt the Prince of Orange in the late Battle, and their Proceedings to take Cambray, and St. Omers. Thus, by Inches, or rather great Meaſures, they were taking in Flanders, which was reckon'd the Out-work of England as well as Holland.. And they ſaid plainly, that nothing could put his Majeſty in a Condition to make fitting Preparations to preſerve the Kingdom, but ready Money.

The Senſe of the Patriots.

To this it was anſwer'd, That it was not proper nor uſual to ask Money at the End of a Seſſion, and it was fit that Alliances ſhould firſt be made, and that they ſhould adjourn rather till that were done: For they ought not to give Money till they knew for what; and, it was clearly ſpoken and made out by them, that, if there was no Summer's War, there was Money enough given already.

The Miniſters Reply.

It was reply'd, That they had not Direction from his Majeſty, as to what he had reſolved; and it might be inconvenient to diſcover and publiſh ſuch Things: But they would offer their Gueſs and Aim at ſuch Things. If there were any Approaches towards a War, tho' they ought to conſider like him in the Goſpel, Whether with ſuch a Force they could encounter a King that came againſt them with ſuch a Force, they ſhould think of providing a Guard for the Iſle of Wight, Jerſey, Guernſey, and Ireland, and ſecure our Coaſts, and lie in a defenſive Poſture. We might be attack'd in the Night. Alſo, there would be a Neceſſity of an extraordinary Summer-Guard at Sea: His Majeſty did uſe to apply 400,000 l. yearly out of the Cuſtoms, upon his Fleets. (The very Harbour-Expence in Anchorage, Mooring, Docks and Repairs, amounting to 110,000 l. *per Annum.*) And he was now ſetting forth forty Ships for the Summer-Guard: But, if there was a Diſpoſition towards War, there muſt be more Ships, or at leaſt, thoſe muſt be more fully mann'd, and more ſtrongly appointed, and furniſh'd the more: eſpecially if the Breach was ſudden; for, otherwiſe, our trading Ships at Sea, as well as thoſe Ships Goods in the French Ports would be expos'd. Now it is reaſonable that the Remainder, which was above and beyond the King's ordinary Allowance, ſhould be ſupply'd by the Parliament, and the extraordinary Preparations of this kind for the preſent, could not amount to leſs than 200,000 l.

Anſwered by the Patriots.

It was anſwer'd, That it was a melancholy thing to think, that Jerſey, &c. were not well enough ſecur'd; at leaſt as well as in the Year 1665; when we alone had War with the French and Dutch too; and yet the King's Revenue was leſs than now. That the Revenue of Ireland was † 500,000 l. *per Annum* beyond the Eſtabliſhments, (that is, the Civil, Military, and all Payments of the Government.) Which, if not

† *Quære if there is not a Cypher too much in this Computation.*

not ſent over hither, but diſpos'd there, would ſerve to defend that Kingdom. And they remember that, about a Month ago, they were told by ſome of theſe Gentlemen, that the French King would not take more Towns in Flanders, if he could have them, but was drawing off to meet the Germans; who would be in the Field in May; and, therefore, it was ſtrange he ſhould be repreſented now, as ready to invade us, and that we muſt have an Army rais'd and kept on our Iſlands and Land. But a Fleet would protect all. Ships are the Defence of an Iſland, and thereby we may hope to keep him at a Diſtance, and not apprehend, or prepare to meet him at our Doors. He learns by Sicily, what it is to invade an Iſland. He is not like to attempt an Invaſion of us, till he hath ſome Maſtery at Sea, which is impoſſible for him to have, ſo long as he is diverted and employ'd at Land, in the Mediterranean, and in the Weſt-Indies, as he is. And as to our Merchant-Ships and Goods, they are in no more Danger now, than they were in any War whatever. Nay, there was more Expectation of this, than there was of the laſt War; for the firſt Notice we, or the Dutch had of that Breach, was their Attempt on their Smyrna Fleet. Alſo it is obſerv'd, that what was ſaid a Fortnight ago (tho' the Seaſon was too far advanced to lay in Beef, and it would ſtink) was admitted to be a Miſtake, for that now it was urg'd, that a greater and better appointed Fleet muſt be furniſh'd out. It was ſtill inſiſted on, likewiſe, that we were in the Dark; his Majeſty did not ſpeak out, that he would make the deſir'd Alliances againſt the Growth of France; and reſolve with his Parliament to maintain them. That, ſo long as there was any Coldneſs or Reſervedneſs of this kind, they had no clear Grounds to grant Money for Preparations. His Majeſty was a Prince of that Goodneſs and Love towards his People, that none did diſtruſt him, but there was a Diſtruſt of ſome of his Miniſters, and a Jealouſy that they were under French Influences; and Complaints and Addreſſes had been made againſt them. And, upon the Diſcourſe of providing for the Safety of the Nation, it being ſaid, we might be ſecur'd by the Guaranty of the general Peace, it was reflected on as a thing moſt pernicious to us: and that our Money and Endeavours could not be worſe apply'd than to procure that Peace. All that they deſir'd was, that his Majeſty, and his People unanimouſly, truly, ſincerely and thoroughly declare and engage in this Buſineſs, with a mutual Confidence, ſpeaking as on both ſides; and this, and nothing but this, would diſcharge and extinguiſh all Jealouſies.

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But it was objected, That it was not convenient to diſcover his Majeſty's ſecret Purpoſes in a public Aſſembly: It might

Objections of the Miniſters.

Anno 29 Car. II. 1677.

might be too ſoon known abroad; and there was no reaſon to diſtruſt his Majeſty; but that, being enabled, he would prepare and do all Things expedient for the Kingdom.

Anſwer'd.

It was anſwer'd that it was uſual for foreign Miniſters to get Notice of the Councils of Princes, as the Earl of Briſtol Embaſſador in Spain, in the laſt part of King James's Reign, procured Copies and often the Sight of the original Diſpatches, and Cabinet-Papers of the King of Spain. But, acknowledging that his Majeſty's Councils are impenetrable, yet the Things would in a ſhort time diſcover themſelves. Beſide, they ſaid, they did not much deſire Secrecy. For let the King take a great Reſolution and put himſelf at the Head of his Parliament and People in this weighty and worthy Cauſe of England, and let a Flying Poſt carry the News to Paris, and let the French King do his worſt.

His Majeſty never had, nor will have cauſe to diſtruſt his People. In 1667, in Confidence of our Aid, he made a League without Advice of Parliament (commonly call'd the Triple League) which was for the Intereſt of England, and whereby his Majeſty became the Arbiter of Chriſtendom; and in the Name, and upon the Account of that, the Parliament gave him ſeveral Supplies. In 1672, he made War without Advice of Parliament, which War the Parliament thought not for the Intereſt of England to continue; yet therein they would not leave him, but gave him 1,200,000 *l.* to carry himſelf in and out of it. How much more then are they concern'd and oblig'd to ſupply and aſſiſt him in theſe Alliances and War, (if it enſue) which are ſo much for the Intereſt of England, and enter'd into by the preſſing Advice of Parliament? We hope his Majeſty will declare himſelf in Earneſt, and we are in Earneſt, having his Majeſty's Heart with us. Let his Hand rot off, that is not ſtretched out for this Affair! We will not ſtick at this or that Sum, or Thing, but we will go with his Majeſty to all Extremities. We are not afraid of the French King becauſe he has great Force, and extraordinary thinking Men about him, who manage his Affairs to a wonder: But, we truſt his Majeſty will have his Buſineſs manag'd by thinking Men, that will be provident and careful of his Intereſt, and not ſuffer him to pay Cent. per Cent. more than Things are worth, that are taken up and uſed: And, if the Work be enter'd upon in this Manner, we hope England will have Engliſh Succeſs with France: As it is in bowling, if your Bowl be well ſet out (or directed) you may wink and it will go to the Mark. Were the Things clear and thoroughly undertaken, there would be leſs reaſon to diſpute of Time; there never was a Council but would ſit on Sunday, or any Day for ſuch a Work. In fine, they ſaid, the Buſineſs muſt lie at one Door, and they would not

not, for any thing, it ſhould ſtat in their Hands. And alſo, tho' they ſhould hope his Majeſty, in an Exigence, would lend to his People, who had given ſo much to him; yet they ſaid, they could not leave him without providing him a Sum of Money, as much as he could uſe between this and ſome convenient Time after Eaſter, when he might, if he pleas'd, command their full Attendance by ſome public Notification.

200,000 *l.* offer'd as an immediate Aid.

The Sum mention'd was 200,000 *l.* and the Expedient to raiſe it a borrowing Clauſe to be added to the Bill for levying almoſt 600,000 *l.*; the Effect of which was to enable his Majeſty preſently to take up the ſaid Sum of 200,000 *l.* on the Credit of this Bill at 7 *per Cent.* Intereſt.

Some Diſcourſe enſu'd of letting looſe part of the 600,000 *l.* juſt mentioned; but then it was reflected that this Sum was appropriated for the building of Ships, and that they would not have this Appropriation unhing'd by any Means, and therefore reſolv'd to annex the borrowing Clauſe to the Bill for continuing the additional Duty of Exciſe for three Years, which was not yet paſs'd: Againſt which it was objected, that it was given for other Purpoſes, viz. To eaſe the King, to pay Intereſt for his Debts, &c. On the contrary, it was anſwer'd, that the Preamble ſpeaks not of his Debts, but his extraordinary Occaſions. But that beſides, they did not intend to withdraw ſo much of that Gift, but did reſolve to re-imburſe his Majeſty towards the 200,000 *l.* ſo much of it as he ſhould lay out in extraordinary Preparations.

It was again objected, That this would be a kind of denouncing of War; and that 200,000 *l.* was a miſerable, mean, and incompetent Sum to defend us againſt thoſe whom we ſhould provoke.

To which was reply'd, That it was but an Earneſt of what they intended, and that they were willing to meet again, and give farther Supplies. Beſide, the French King was not formidable for any great Hurt he could do us during the Confederacy. That there were ſeveral Princes of Germany at war with him, who, tho' much more weak and inconſiderable than we, were ſafe; being defended not by their own Strength, but the whole Confederacy.

The Debate concluded in voting the following Anſwer, which was preſented to the King by the Speaker and the whole Houſe on the 13th of April: 'We your Majeſty's moſt loyal Subjects, &c. do, with great Satisfaction of Mind, obſerve the Regard your Majeſty is pleas'd to expreſs to our former Addreſſes, by intimating to us the late Alteration of Affairs abroad, and do return our moſt humble Thanks for your Majeſty's moſt gracious Offer made to us thereupon in your late Meſſage: And, having taken a ſerious Deliberation

An Anſwer to the King's Meſſage.

of

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of the ſame, and of the Preparations your Majeſty hath therein intimated to us were fitting to be made, in order to thoſe public Ends, we have at preſent provided a Security in a Bill for the additional Duty of Exciſe, upon which your Majeſty may raiſe the Sum of two hundred thouſand Pounds. And if your Majeſty ſhall think fit to call us together again for this Purpoſe in ſome ſhort time after Eaſter, by any public Signification of your Pleaſure, commanding our Attendance; we ſhall, at our next meeting, not only be ready to reimburſe your Majeſty what Sums of Money ſhall be expended on ſuch extraordinary Preparations as ſhall be in purſuance of our former Addreſſes; but ſhall likewiſe with thankful Hearts proceed then, and at all other times, to furniſh your Majeſty with ſo large a Proportion of Aſſiſtance and Supplies upon this Occaſion, as may give your Majeſty and the whole World, an ample Teſtimony of our Loyalty and Affection to your Majeſty's Service; and as may enable your Majeſty, by the help of Almighty God, to maintain ſuch ſtricter Alliances as you ſhall have enter'd into, againſt all Oppoſition whatſoever.' Hereupon his Majeſty, within two Days, ſent this ſecond Meſſage to the Houſe:

Another Meſſage from the King.

' His Majeſty, having conſider'd the Anſwer of this ' Houſe to the laſt Meſſage about enabling him to make fitting Preparations for the Security of theſe Kingdoms, finds, ' by it, that they have only enabled him to borrow two hundred thouſand Pounds, upon a Fund given him for other Uſes; ' his Majeſty deſires therefore this Houſe ſhou'd know, and he ' hopes they will always believe of him, that not only that ' Fund, but any other within his Power ſhall be engag'd to ' the utmoſt for the Preſervation of his Kingdom: But as his ' Majeſty's Condition is, (which he doubts not but is as well ' known to this Houſe as himſelf) he muſt tell them plainly, ' That without the Sum of ſix hundred thouſand Pounds, or ' Credit for ſuch a Sum, upon new Funds, it will not be ' poſſible for him to ſpeak or act thoſe Things which ſhou'd ' anſwer the Ends of their ſeveral Addreſſes, without expoſing the Kingdom to much greater Danger. His Majeſty ' doth further acquaint you, that having done his Part, and ' laid the true State of Things before you, he will not be ' wanting to uſe the beſt Means for the Safety of his People, ' which at preſent he is capable of.'

Another Addreſs from the Commons.

The Houſe fell into an immediate Conſideration of an Anſwer, and, after a ſhort Debate, they drew up the following Addreſs: ' We your Majeſty's moſt loyal Subjects, &c. having conſider'd your Majeſty's laſt Meſſage, and the gracious Expreſſions therein contain'd, for employing your Majeſty's whole Revenue at any time, to raiſe Money for the Preſervation of your Majeſty's Kingdoms, do find great Cauſe

Cauſe to return our moſt humble Thanks to your Majeſty for the ſame, and to deſire your Majeſty to reſt aſſur'd, that you ſhall find as much Duty and Affection in us, as can be expected from a moſt loyal People, to their moſt gracious Sovereign: And whereas your Majeſty is pleas'd to ſignify to us, that the Sum of two hundred thouſand Pounds is not ſufficient without a further Supply, to enable your Majeſty to ſpeak or act thoſe Things deſir'd by your People, we humbly take leave to acquaint your Majeſty, that many of our Members being (upon an Expectation of an Adjournment before Eaſter) gone into their ſeveral Countries, we cannot think it parliamentary, in their Abſence, to take upon us the granting of Money; but do therefore deſire your Majeſty to be pleas'd that this Houſe may adjourn itſelf for ſuch a ſhort time, before the ſaid two hundred thouſand Pounds be expended, as your Majeſty ſhall think fit, and by your royal Proclamation to command the Attendance of all our Members at the Day of Meeting. By which Time we hope your Majeſty may have ſo form'd your Affairs, and fix'd your Alliances, in purſuance of our former Addreſſes, that your Majeſty may be graciouſly pleas'd to impart them to us in Parliament; and we no ways doubt, but, at our next aſſembling, your Majeſty will not only meet with a Compliance in the Supply your Majeſty deſires; but withal, ſuch further Aſſiſtance as the Poſture of your Majeſty's Affairs ſhou'd require. In confidence whereof, we hope your Majeſty will be encourag'd in the mean time to ſpeak and act ſuch things as you ſhall judge neceſſary for attaining thoſe great Ends, as we have formerly repreſented to your Majeſty.' Anno 29 Car. II. 1677.

The King had no ſooner receiv'd this Addreſs, but, finding the Money Bills ready, the ſame Evening, April the 16th, he came ſuddenly to the Houſe of Peers, and, being ſeated on his Throne with the uſual Solemnity, he ſent for the Houſe of Commons, and gave his Royal Aſſent to the ſeveral Bills preſented to him, *viz.* 1. An Act *for raiſing the Sum of five hundred eighty four thouſand Pounds*, &c. *for the ſpeedy building thirty Ships of War.* 2. An Act *for an additional Exciſe upon Beer, Ale, and other Liquors for three Years.* 3. An Act *for the better Obſervation of the Lord's Day.* 4. An Act *for Prevention of Frauds and Perjuries.* 5. An Act *for taking Affidavits in the Country, to be uſed in the Courts of* Weſtminſter-Hall. 6. An Act *for confirming and perpetuating Augmentations made by Eccleſiaſtical Perſons, on ſmall Vicarages and Curacies.* 7. An Act *for taking away the Writ* De Hæretico Comburendo. 8. An Act *for Naturalization of Children of his Majeſty's Engliſh Subjects born in foreign Countries during the late Troubles.* 9. An Act *for erecting a Judicature to determine* The King paſſes ſeveral Bills.

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Differences touching Houſes burnt by the late dreadful Fire in Southwark. 10. An Act *for the better repairing and maintaining the Peer of Great Yarmouth.* After the paſſing theſe Acts, the Lord Chancellor, by his Majeſty's Command, acquainted the two Houſes, that they had leave to adjourn themſelves till the 21ſt of May next.

The Parliament adjourn'd.

The Continuation of the Sixteenth Seſſion of Parliament.

On the 21ſt of May, the Parliament met according to Adjournment, after a Receſs of near five Weeks. On which Occaſion a verbal Meſſage from his Majeſty to the Houſe of Commons, was deliver'd by Mr. Secretary Coventry, by which 'His Majeſty acquainted the Houſe, that having, according 'to their Deſire in their Anſwer to his late Meſſage, 'April, 16. directed their Adjournment to this Time; becauſe 'they did alledge it to be unparliamentary to grant Supplies when the Houſe was ſo thin, in expectation of a ſpeedy 'Adjournment; and having alſo iſſu'd out his Proclamation of 'Summons, to the end there might be a full Houſe, he 'did now expect they would forthwith enter upon the Conſideration of his laſt Meſſage, and the rather, becauſe he 'intended there ſhould be a Receſs very quickly.' Upon this it was mov'd, that the King's laſt Meſſage of April 16, and the Anſwer to it ſhould be read: Which being done, after a long Silence, a Debate began about their Expectation, and the Neceſſity of Alliances; and particularly it was intimated, 'That an Alliance with Holland was moſt expedient, for that we ſhou'd deceive our ſelves if we thought we cou'd be defended otherwiſe; we alone cou'd not withſtand the French, his Purſe and Power was too great; nor could the Dutch withſtand him, but both together might.' The general Argument was, 'That they came with an Expectation to have Alliances declared, and, if they were not made ſo as to be imparted, they were not call'd or come to that Purpoſe they deſired, and hoped to meet upon; and if ſome few Days might ripen them, they wou'd be content to adjourn for the mean time.' The Secretary and others ſaid, 'Theſe Alliances were Things of great Weight and Difficulty, and the Time had been ſhort; but if they were finiſh'd, yet it was not convenient to publiſh them, 'till the King was in a Readineſs and Poſture to proſecute and maintain them; 'till when his Majeſty cou'd not ſo much as ſpeak out, *i. e.* without firſt receiving ſix hundred thouſand Pounds, according to the Words of his Meſſage.' By others it was obſerved and ſaid, 'That they met now upon a public Notice by Proclamation, which Proclamation was in purſuance of their laſt Addreſs, in which Addreſs they deſire the King, they may adjourn for ſuch Time, as within which, they hoped, Alliances might be fix'd, ſo as to be imparted. They mentioned not any particular Day;

Debates on the Neceſſity of Alliances.

Mr. Secretary Williamſon, &c.

if his Majesty had not thought this time long enough for the Purpose, he might have appointed the Adjournment for a longer Time; or he might have given Notice by Proclamation, that, upon this Account, they should re-adjourn to a yet longer Time.' In this State of Uncertainty, the House adjourn'd for two Days, having first ordered the Committee for the Bill for recalling his Majesty's Subjects out of the Service of the French King, to sit in the Afternoon, when they went through the Bill.

The House adjourns for two Days.

The Commons being met at the Time appointed, his Majesty sent a Message for the House to attend him immediately at the Banqueting-House in White-hall, where he made the following Speech to them:

The King's Speech to them.

'Gentlemen:

'I Have sent for you hither, that I might prevent those 'Mistakes and Distrusts which I find some are ready 'to make, as if I had called you together only to get Money 'from you, for other Uses than you would have it employ'd. 'I do assure you, on the Word of a King, that you shall 'not repent any Trust you repose in Me, for the Safety of 'my Kingdoms; and I desire you to believe I would not 'break my Credit with you; but as I have already told you, 'That it will not be possible for me to speak or act those 'Things which should answer the Ends of your several Addresses, without exposing my Kingdoms to so much greater 'Dangers, so I declare to you again, I will neither hazard 'my own Safety, nor yours, until I be in a better Condition 'than I am able to put myself, both to defend my Subjects, 'and offend my Enemies. I do further assure you, I have 'not lost one Day, since your last Meeting, in doing all I 'could for your Defence; and I tell you plainly, it shall be 'your Fault and not mine, if your Security be not sufficiently provided for.'

Debates upon it.

The Commons returning to their House, resolv'd to consider of the Speech in a full and regular Debate: In which the Secretary and others propounded the six hundred thousand Pounds Supply, but said, 'They did not press the House, but they might do as they pleas'd: But if they expected Alliances to be made, and made known, that Sum must be first granted: The King had the same Power of making War and Leagues, as this House had in giving Money; He could not have Money without them, nor they Alliances without him. He had consider'd the Matter, and found that he ought by such a Sum to be enabled to maintain and prosecute his Alliances, before they could or should be declar'd; and truly otherwise our Nakedness and Weakness

Mr. Secretary Williamson.

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would be expos'd. 'Tis true, as has been objected, The asking and giving of Money for this Purpoſe, would alarm, as declaring the Alliance, but then it would defend too. A Whip will alarm a wild Beaſt, but will not defend the Man; a Sword will alarm the Beaſt, but will alſo defend the Man. We know the King would ſtrip himſelf to his Shirt, rather than hazard the Nation. He has done much already; he has ſet out, and made ready to ſet out 44 Ships: But they muſt be diſtributed to ſeveral Places for Convoys, &c. There would need, it may be, 40 more in a Body. And it is difficult to get Seamen; many are gone into the Service of the French, Dutch, &c. The King is fain to preſs now.

The King has not had any Fruit of the 200,000 l. Credit provided him upon the three Year's Leaſe; he has try'd the City to borrow Money of them thereupon, and my Lord-Mayor return'd Anſwer, *That he had endeavour'd, but could not encourage his Majeſty to depend upon the City for it.*'

Anſwered by other Members.

Several others ſpoke to this Effect: 'We ſhould conſider in this Caſe, as in the Caſe of the King's Letters-Patent, Proclamations, &c. If any Thing in them be againſt Law and Reaſon, Lawyers and Courtiers judge it void, and reckon it not to be done, or ſaid by the King. For the King can do no Wrong, tho' his Council may. So we muſt look upon the King's Speeches, and Meſſages, as the Product of Council; and, therefore, if any Miſtake be therein, it muſt be imputed to the Error of his Council, and it muſt be taken that the King never ſaid it. Now to apply, certainly the treating and concluding of Alliances, requires not a previous Sum of Money, however the King's Council may miſinform. They may be propounded and accepted by the means of the foreign Miniſters, even without an Embaſſy to be ſent from hence: And yet, if that were neceſſary, it were no extraordinary Charge. Alliances may be made forthwith, and then, Money would be granted forthwith. If they were declar'd to-day, the 600,000 l. ſhould be granted to-morrow, and as Occaſion ſhould require: And there is no fear, but Money would be found for this purpoſe. Our own Extravagancies would maintain a War. The Money which has been provided the King already this Seſſion, is ſufficient for all the Preparations that can be poſſibly made, before theſe Alliances can be made. Forty Ships of ours, with the Help of the Dutch, are a good Defence againſt the French at Sea, now he is ſo entangled with Sicily, the Weſt-Indies, &c. In the Triple League it was ſtipulated that 40 of our Ships, and 40 of the Dutch ſhould be provided, and they were thought ſufficient for the Purpoſe. If it were required that 40 more ſhould be ſent out, 600,000 l. is enough to maintain and pay

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a whole Year clear for the Carpenters Work, and such like; and as to what should be presently requir'd for the fitting them to go out, a little Money would serve. And surely, this is the only Preparation that can be meant: For if it should be meant, that we should fortify the Land with Forts, Garrisons, Walled-Towns, &c. it is not six Millions will do it: But our Strength, Force, and Defence is our Ships. For the Debate of this Day, it is as great, and weighty as ever was any in England; it concerns our very Being, and includes our Religion, Liberty, and Property: The Door towards France must be shut and guarded; so long as it is open, our Treasure and our Trade will creep out, and their Religion will creep in. And this Time is our Season. Some Mischief will be done us; and so there will at any time when the War is begun; but now the least: The French are not very dangerous to us, nor much to be fear'd by us at this present. But we ought to advise and act so now, as we may not fear or despair hereafter, when the French shall make Peace beyond Sea; and, likely, will make Alliances with those People with whom we defer to make them. How ripe and great will be our Misery then? The Power and Policy of the French are extraordinary: And their Money influences round about them.

We are glad to observe, by what is said by, and of the King, that his Majesty agrees with us in the End, and we hope he will be convinced of the Reasonableness of the Means, which is, to make and follow these Alliances; without which, plainly, we can give no Account to ourselves, or those we represent, of giving Money.

We have made several Addresses about the King's Ministers, their Management, &c. of which we have seen little Fruit. There have continually, almost to this Hour, gone out of England, Succours to France, of Men, Powder, Ammunition, Ordnance, &c. Not to rake into the matter, how far the Ministers have been active or passive in this; not to mention any other Particulars, we must say, that, unless the Ministers, or their Minds are alter'd, we have no Reason to trust Money in their Hands, tho' we declare we have no Purpose to arraign, or attempt upon them, but would rather propose them an easy Way how they might have Oblivion; nay, and the Thanks of the People, *viz.* That they should endeavour and contend, who could do most to dispose the King to comply with this Advice of his Parliament. We think the prosecuting these Alliances, the only good Use for which our Money can be employ'd; and, therefore, before we give, we should be secure it shall be apply'd to this Purpose, and not by Mis-Councils, be diverted to others. This is the mature Council of Parliament: And no cross,

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or other Council is to be truſted, for attaining theſe great Purpoſes, which the King and Parliament are agreed upon.

To part with Money, before Alliances are made, is needleſs and to no purpoſe; at leaſt, it would be the Way to ſpend that Money before iſſu'd, in vain: which we ſhall need hereafter, when we ſhall be forc'd to enter into this Defence againſt France. It would be like an Error committed in the late King's Time, and which looks as if Men had given Counſel on purpoſe to deſtroy that good King. He had, by the Care and Faithfulneſs of Biſhop Juxon and others, collected and preſerv'd a good Sum of Money before the Scotiſh Rebellion in 1639; upon that Rebellion he was adviſ'd to raiſe an Army at Land, which, indeed, was neceſſary: But he was, likewiſe, adviſ'd to ſet out ſeveral of his Great-Rate Ships. This appear'd in the Papers of Sir Robert Long's Office, and may there be ſeen ſtill, if the Papers are not ſcatter'd. A Man cannot tell for what End this Advice was given, unleſs to ſpend the King's Money: For the Admiralty of Scotland is not now, and much leſs then, was ſo conſiderable as to require any ſuch Force againſt it. And if the Deſign was to hinder their Commerce and Succours by Sea, the Charge of one of thoſe great Ships, might have been divided, and apply'd to the ſetting out five or ſix leſs Ships, each of which was capable of doing as much for that Service, as ſuch a great one, and could keep out at Sea longer.

It is a plain Caſe, unleſs the Power of France be lower'd, we cannot be ſafe: Without Conjunction with Confederates, this cannot be done. The Queſtion is then, Whether this be a proper Time for the Work. Certainly it is. There is already a happy Confederation againſt the French, which we cannot ſo well hope to have continued, without our coming into it: Much leſs can we hope to recover, or recruit it, if once broken. The very Seaſon of the Year favours the Buſineſs. It is proper and ſafe to begin with the French in the Summer; now they are engag'd, and not at leiſure: Whereas in Winter, when the Armies are drawn out of the Field, he will be able to apply himſelf to us.

As to the Citizens not advancing Money upon the late Credit, we are inform'd they were never regularly or effectually ask'd. My Lord-Mayor, indeed, was ſpoken to, and, perhaps, ſome of the Aldermen; but, all they, are not the City. He ſent about curiouſly to ſome of the Citizens, to know if they would lend; of which they took little or no Notice, it not being agreeable to their Way and Uſage. For the Cuſtom, in ſuch Caſes, has always been, that ſome Lord of the Council did go down to the Common-Council, which is the Repreſentative-Body of the City, and there propound

propound the Matter. Beside, in this particular Case, the Citizens generally ask'd the same Question we do, Are the Alliances made? And said, if they were made, they would lend Money; but if not, they saw no Cause for it.

Philip the Second of Spain made an Observation in his Will, or some last Memorial, and 'tis since publish'd in Print, by Monsieur . . . He observes the Vanity of any Prince's aspiring to Universal Monarchy; for that it naturally made the rest of the World jointly his Enemies. But Ambition blinds Men, suffers them not to look back on such Experiences. But, this Observation shews what is natural to do in such a Case. And that the Way to repel and break such a Design, is by their universal Confederation. Philip the Second was not capable of making this Observation: For, in his hands, perish'd the Spanish Design of the Universal Monarchy; and that chiefly, by reason of the Conjunction of the English and Dutch against him. In the Process of this Debate, Gentlemen did more particularly explain themselves, and propound to address their Design to the King, for a League Offensive and Defensive with the Dutch, against the French Power. To which a specious Objection was made; That the Dutch were already treating with the French, and were like they would slip Collar, make a separate Peace for themselves, and leave us engag'd in a War with France. To which was answer'd, That the Dutch were interested in repressing the Power of France, as well as we, and that they knew their Interest. It was reasonable for them to say, if England, which is as much concern'd in this Danger, will not assist us, we will make the best Terms we can for ourselves: There is yet a Seam of Land between the French and us; we may trade by, or under them, &c. But if England will join the Dutch, they cannot find one Syllable of Reason to desert the Common Cause. They have observ'd a Propensity in the People of England to help them, but not in the Court of England. If they can find that the Court does heartily join, it will, above all things, oblige and confirm them. In 1667, when the Dutch were in Peace and Plenty, when Flanders was a greater Bulwark to them, for the French had not pierc'd so far into it, and when the Direction of their Affairs was in the hand of John de Witt, an inveterate Enemy to the Crown of England; yet then, their Interest did so far govern him, and them, as to enter into the Triple League against the Growth and Power of France, and keep it more stedfastly than we. And most certainly, therefore, now they are exhausted and weaken'd by a War, and stand in need of our Help, now the French have approach'd nearer the Brink of their Country, and are increas'd in Naval Force, to the Danger of their Trade

and

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and Navigation, and now their Affairs are chiefly directed by a Kinſman of the Crown of England the Prince of Orange, they cannot deflect or ſtart from a League they make with us againſt our common Enemy.'

Motion for a League with Spain and Holland.

It was mov'd, That there might be a League offenſive and defenſive with Spain and the Dutch, and other convenient Alliances, with the reſt of the Confederates. But the Particular concerning Spain was retracted and laid aſide by the general Diſcourſe of the Members to this purpoſe:

Spain dropt.

'We do covet an Alliance with Spain above others, for the

Reaſons for it.

they are Owners of the Netherlands, for whoſe Preſervation we have addreſs'd. That it is with Spain we have the moſt if not the only profitable Trade, and the Spaniards are good, gallant and ſure Friends; but they are remote, and we know not whether there are full Powers here or at Bruſſels for this matter; and to wait for that coming from Madrid, would be Church-work; whereas we need the ſwifteſt Expedition.'

An Addreſs to the King, declining a farther Supply till his Majeſty's Alliances are made known.

On the Concluſion of the Debate, which was long, they agreed to draw up an Addreſs to his Majeſty, to the following Effect: 'We your Majeſty's moſt loyal and dutiful Subjects, &c. having taken into our ſerious Conſideration your Majeſty's moſt gracious Speech, do beſeech your Majeſty to believe it is a great Affliction to us, to find ourſelves oblig'd, at preſent, to declare againſt the granting your Majeſty the Supply you are pleas'd to demand; conceiving it not agreeable to the Uſage of Parliaments, to grant Supplies for Maintenance of Wars and Alliances, before they are ſignify'd in Parliament; for which Uſage, if we might depart, the Precedent might be of dangerous Conſequence in future Times, tho' your Majeſty's Goodneſs gives us great Security during your Reign, which we beſeech God long to continue. This Conſideration prompted us, in our laſt Addreſs, humbly to mention to your Majeſty our Hopes, that before our meeting again, your Majeſty's Alliances might be ſo fix'd, as that you might be graciouſly pleas'd to impart them to us in Parliament, that ſo our earneſt Deſires of ſupplying your Majeſty might meet with no Impediment or Obſtruction; being highly ſenſible of the Neceſſity of ſupporting, as well as making the aforementioned Alliances, and which we ſtill conceive ſo important to the Safety of your Majeſty and your Kingdoms, that we cannot omit upon all Occaſions, humbly to beſeech your Majeſty, as we do now, to enter into a League, offenſive and defenſive, with the States-General of the United Provinces againſt the Growth and Power of the French King, and for the Preſervation of the Spaniſh Netherlands; and to make ſuch other Alliances with other ſuch of the Confederates, as your Majeſ-

Majesty shall think fit and useful to that End; In doing which (that no Time may be lost) we humbly offer to your Majesty these Reasons for the expediting of it. 1. That if the entering into such Alliances shou'd draw on a War with the French King, it would be least detrimental to your Subjects at this Time of the Year, they having now fewest Effects within the Dominion of that King. 2. That tho' we have great Reason to believe the Power of the French King to be dangerous to your Majesty and your Kingdoms, when he shall be at more leisure to molest us; yet we conceive the many Enemies he has to deal withal at present, together with the Situation of your Majesty's Kingdoms, the Unanimity of the People in the Cause, the Care your Majesty hath been pleas'd to take of your ordinary Guards of the Sea, together with the Credit provided by the late Act *for an additional Excise for three Years*, make the entering into, and declaring Alliances very safe, until we may in a regular Way give your Majesty such further Supplies, as may enable you to support your Alliances and defend your Kingdoms. 3. And because of the great Danger and Charge which must necessarily fall upon your Majesty's Kingdoms, if, through want of that timely Encouragement and Assistance, which your joining with the States-General of the United Provinces, and other Confederates, wou'd give them, the said States, or any other considerable Part of the Confederates, shou'd the next Winter, or sooner, make a Peace, or a Truce with the French King.——Having thus discharg'd our Duty, in laying before your Majesty the Danger threatning your Majesty and your Kingdoms, and the only Remedies we can think of, for the securing and quieting the Minds of your Majesty's People, with some few of those Reasons which have mov'd us to this, and our former Addresses on these Subjects; We most humbly beseech your Majesty, to take the Matter into your serious Consideration, and to take such Resolutions, as may not leave it in the Power of any neighbouring Prince, to rob your People of that Happiness which they enjoy under your Majesty's gracious Government; beseeching your Majesty to rest confident and assured, that when your Majesty shall be pleas'd to declare such Alliances in Parliament, we shall hold our selves oblig'd, not only by our Promises and Assurances given, and now with great Unanimity reviv'd in a full House; but by the Zeal and Desires of those whom we represent, and by the Interest of all our Safeties, most chearfully to give your Majesty from time to time such speedy Supplies and Assistances, as may fully and effectually answer the Occasions, and by God's Blessing preserve your Majesty's Honour and the Safety of the People.

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All which is most humbly submitted to your Majesty's great Wisdom.'

An Exception made to it.

After the reading of this Address in the House, it was observ'd and objected, 'That there was but one Reason given in it for declining the granting Money, and that was that it was unprecedented, about which they were not satisfy'd.' On the other side it was said, 'There might be other Reasons assign'd against giving of Money before the Alliances, but they rather desired to spare them;' only in general they said, 'Twas not reasonable to grant Money before there was a Change (they wou'd not say of Counsellors, but) of Counsels; and a hearty undertaking these Alliances, wou'd be the best Demonstration of that Change. For the swerving from this Interest and Part, was the Step by which we went awry, and the returning thereto wou'd restore us to our right Place and Way.'

A Gentleman, likewise produc'd and read the King's Speech of Feb. 10, 1667. which shews the proper Course and Practice, that Kings first communicate their Alliances made before they demand Supplies upon the Account of them.

And let fall.

Upon this the Exception was let fall.

Another Exception.

But the grand Objection manag'd against it was upon the main Point of the Address, wherein they desired his Majesty to make a League offensive and defensive with the Dutch, &c.

Those who were against this Particular, (or particularizing) in the Address, spoke to this Effect.

This is an Invasion upon his Majesty's Prerogative of making Peace, War and Leagues, and it is the worse for the Distinction that is used, in respect of the Dutch and the rest, by which you give express Directions as to the Dutch, and referring to his Directions as to the others, it looks and gives an Umbrage, as if what he was to do was by our Leave.

The ancient Land-Marks, the Boundaries between King and People must not be remov'd: This Power, is one of the few Things entirely reserv'd to the Crown. Parliaments are summon'd to treat *de Arduis*: But, *de quibusdam Arduis* is unprecedented.

The Marriages of the Royal Family is such a peculiar Thing reserv'd to the King, and the Matter of Lady Arabella is an Instance. Queen Elizabeth resented it highly that the Parliament should propound her marrying; and she said, however it was well they did not name the Person. If they had nam'd the Person it had been intolerable. Now here you name the Persons, you would have the King ally.

If you come ſo far, you may come to draw a Treaty, and propoſe to the King to ſign it. By this, you would put a great Indecorum on the King: He is now concern'd as a Mediator at Nimeguen, and it would be an indecent Thing for him, at the ſame Time, to declare himſelf a Party. It is believed the Houſe of Auſtria (tho' they ſent full Powers to Nimeguen for the Purpoſe) never intended to conclude a Peace. But it was an abſurd Thing for them to declare ſo in public: There muſt be public Decorum. Anno 29 Car. II. 1677.

This is the way for the King to have the worſe Bargain with the Confederates; for they, obſerving how he is importun'd, and as it were, driven to theſe Alliances, will ſlacken and leſſen thoſe advantageous Offers, which, otherwiſe, they would be forc'd to make.

And again, and again, they ſaid his Majeſty did agree with the Houſe in the end, and they did not doubt but he would proſecute it by the ſame means as was deſired. But his Prerogative was not to be encroach'd upon. This manner of proceeding would never obtain with the King; nay it would make the Addreſs miſcarry with him.

On the other Side, ſeveral ſpoke to this Effect: Anſwer'd.

'We ought to conſider, we are upon the Queſtion of agreeing to an Addreſs drawn by our Committee, by an Order; if they have not, in matter and manner, correſponded with our Direction or Intention, we have cauſe to diſagree: But here the Exception taken, and cauſe preſs'd why we ſhould not agree with them, is becauſe they have obſerv'd the very Words and Subſtance of our Order, which exactly joins with this Draught.

This paſs'd on Wedneſday, upon a full Debate, in a very full Houſe, two only contradicting, and not one ſpeaking, or thinking the King's Prerogative was touch'd, and therefore, it is ſtrange it ſhould be made the great Objection and Queſtion of this Day.

But the Prerogative is not at all intrench'd upon: We do not pretend to treat, or make Alliances; We only offer our Advice about them, and leave it with the King. He may do as he pleaſes; either make, or not make them. It is no more than other Perſons may do to the King; for, doubtleſs, the Privy-Council may adviſe him in this Particular, and why not his great Council? This Rate of Diſcourſe would make the King's Prerogative conſiſt merely in not being advis'd by his Parliament, of all People.

There have been manifold Precedents for ſuch Advices. Leagues have been made by Advice of Parliament, and have been ratified in Parliament. In Edw. 3. Rich. 2. and eſpecially in Henry the 5th's time, with Sigiſmund the Emperor and King of the Romans; and Henry the 5th was a magnanimous, Ruſh. Coll. 41, 42, 43, 46.

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nanimous Prince, and not to be impos'd upon. 18 Jac. the Parliament advis'd the King about making and managing a War. And we may well remember our own advising the first Dutch War; and making Leagues is less than War.

But, if there were no Precedent in this particular Law, it would be no Objection; for Matter of Advice is not to be circumscrib'd by Precedent, if there be a new Law that a Prince should join in a War, together with another Prince, when that Prince was too potent before; and that when this was discern'd and a Peace made, yet Succours should continually go out of the first Prince's Dominions to the Service of the other Prince, and that notwithstanding several Addresses and Advices to the contrary.

'Tis true, as objected, that the Commons have sometimes declin'd advising in this Matter of War, so propos'd to them. But that shews not their want of Right to meddle therewith, but rather the contrary. The very truth is, it has been the Desire and Endeavour of Kings in all Ages to engage the Parliaments in advising War, &c. that so they might be oblig'd to supply the King to the utmost for, and through it. But they, out of a prudent caution, have sometimes wav'd the matter, lest they should engage farther or deeper than they were aware, or willing.

Since his Majesty is treating as Mediator at Nimiguen about the general Peace, it is a great Reason why he should specify the Alliances desired, as we have done, that we might make it known; we are far from desiring such Alliances as might be made by, and with a general Peace; but, on the contrary, coveting such as might prevent and secure us against that dangerous and formidable Peace.

Doubtless, the Confederates will offer honourable and worthy Terms; their Necessity is too great to boggle or take Advantages: Nor will they think the League less worthy, because we advise it; but rather value it the more, because it is done unanimously by the King, with the Advice and Applause of his People in Parliament.

Rush. Collect. 171, 172. 177, 178.

We cannot suppose that our proceeding thus to his Majesty, will prejudice our Address, or endanger its Miscarriage, since it is for his Majesty's Advantage; in that it obliges us to supply him to all Degrees thro' this Affair; And the more particular it is, the more still it is for the King's Advantage. For, if it had been more general, and the King had thereupon made Alliances, whatever they were, they might have thought and said they were not the Alliances intended; and it might be us'd as an Excuse or Reason for the not giving Money to supply his Majesty hereafter; but this, as it is now, doth most expressly, strictly and particularly bind us up.

We

We reflect that a great deal of time, and precious time, has been ſpent ſince; and in our Addreſs on this Subject; and finding no effectual Fruit, eſpecially of our laſt Addreſs, we have cauſe to apprehend we are not clearly underſtood in what we meant. Now it is the ordinary way in purſuing Diſcourſe in ſuch caſe, and 'tis proper and natural for us to ſpeak out, more explicitly and particularly, and tell his Majeſty, that what we have meant is a League offenſive and defenſive: And to perſuade us again to addreſs on, in more general terms, as before, is to perſuade us that, as we have done nothing theſe ten Weeks, ſo we ſhall do nothing ſtill. Anno 29 Car. II. 1677.

And ſince his Majeſty, in his late Meſſage and laſt Speech, has been pleaſed to demand 600,000 l. for anſwering the Purpoſe of our Addreſſes, and aſſures us, that the Money ſhall not be employ'd to other Uſes, than we would have it employ'd; it is moſt ſeaſonable for us to declare plainly the Uſe and Purpoſe we intend, that ſo it may be concerted and clearly underſtood on all hands. And, therefore it is well done, to mention to his Majeſty thoſe expreſs Alliances; we thinking no other Alliances worth the ſaid Sums; and we, withal, promiſing and undertaking that his Majeſty ſhall have this and more for theſe Ends.

Nor have we any cauſe to apprehend, that his Majeſty ſhall take amiſs our adviſing Leagues in this manner: We have preſented more than one Addreſs for Alliances againſt the Growth and Power of the French King; and his Majeſty hath received, admitted and anſwered them, without any Exception; and if we may addreſs for Alliances againſt a particular Prince or State; why not for Alliances with a particular Prince or State? It cannot be leſs regular, or parliamentary than the former.

And moreover, tho' we know that punctual Precedents are on our ſides, beſides our Commiſſions by our Writs, to treat *de Arduis & Argentibus Regem, Statum, & Defenſionem Regni & Eccleſiæ Anglicanæ concernentibus*; and beſide the King's general Intimations in his printed Speech; yet, if it be ſaid to be a decent and proper thing to have his Majeſty's Leave and Conſent before we proceed on ſuch a matter, in ſuch a manner as we now do, we ſay that that, in effect, is with us too: For, conſider all our former Addreſſes, and his Majeſty's Anſwers and Meſſages thereupon; and it will appear that his Majeſty has engag'd and encourag'd us too upon that Subject; and that which he expects and would have, is not to limit or check our Advice, but to open and enlarge our Gifts. His Majeſty appears content to be thoroughly adviſed, provided he be proportionably furniſhed and enabled with Money; which we being now ready to do, we clearly and conducively preſent him our Advice for the Application of

it,

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it, to prevent those Mistakes and Distrusts, which his Majesty says he finds some are so ready to make, as if he had call'd us together only to get Money from us, or for other Uses than we would have it employ'd.

And, truly, the advising those Alliances, together with assuring his Majesty thereupon to assist and supply him presently and plentifully to prosecute the same, is our only way of complying and corresponding with his last Speech. For these Leagues, follow'd and supported by these Supplies, are the only means and methods to put his Majesty in the best condition, both to defend his Subjects, and offend his Enemies; and so there will be no fault in his Majesty, nor us; but his and our Security will be sufficiently provided for.

Beside it will be worse, it will be a very bad thing indeed, not to make the Address for this particular League, now, since we have resolv'd it already. Our Intention being to have the Dutch, &c. comforted, encourag'd and assur'd. We did order this on Wednesday; and there is public notice taken of it abroad and beyond Sea. If, therefore, we should now, upon solemn Debates, set the same aside, it would beget a great Doubt, Discomfort and Discouragement to them. It is one thing never to have order'd it; another to retract it.

Also it was said, that this was necessary; but not all that was necessary. For suppose, which was not credible, that France should be prevailed with to deliver up all Lorrain, Flanders, Alsace, and other conquer'd Places, are we safe? No, he has too many Hands, too much Money; and this Money is in great measure (a Million Sterling at least) supply'd from hence. We must depress him by Force, as far as may be. But farther, we must have Leagues and Laws to impoverish him: WE MUST DESTROY THE FRENCH TRADE. This would quiet, and secure us; this would make our Lands rise; and this would enable us to set the King at ease.

Upon the Conclusion, after a long Debate, the House * divided, whether this Particular of a League offensive and defensive with the Dutch should be left out of the Address, and it was carry'd in the Negative, Yeas 142, Noes 182.

The next day, May 26. The House had Notice, the King would receive their Address, and several Bills being mov'd to be read, it was generally agreed to proceed on nothing, but the French and Popery. After which, waiting upon his Majesty with their Address, He was pleas'd to Answer, that it was long, and of great Importance, that he would consider

* *Mr. Echard says it was carried without a Division; but this is not his only Mistake.*

conſider of it, and give them an Anſwer, as ſoon as he could.

Accordingly, on Monday the 28th, they were ſummoned to the Banqueting-Houſe, where his Majeſty was pleas'd to ſhew his Reſentment in this following Speech:

The King's reſenting Speech upon it.

'Gentlemen,

'COuld I have been ſilent, I would rather have choſen to be ſo, than to call to mind Things ſo unfit for you to meddle with, as are contain'd in ſome Parts of your laſt Addreſs, wherein you have entrench'd upon ſo undoubted a Right of the Crown, that I am confident it will appear in no Age (when the Sword was not drawn) that the Prerogative of making Peace and War hath been ſo dangerouſly invaded. You do not content yourſelves with deſiring Me to enter into ſuch Leagues, as may be for the Safety of the Kingdom, but you tell me what ſort of Leagues they muſt be, and with whom; and, as your Addreſs is worded, it is more liable to be underſtood to be by your Leave, than at your Requeſt, that I ſhould make ſuch other Alliances, as I pleaſe, with other of the Confederates. Should I ſuffer this Fundamental Power of making War and Peace to be ſo far invaded (tho' but once) as to have the Manner and Circumſtances of Leagues preſcrib'd to Me by Parliament, 'tis plain that no Prince or State would any longer believe that the Sovereignty of England reſts in the Crown; nor could I think myſelf to ſignify any more to foreign Princes, than the empty Sound of a King. Wherefore you may reſt aſſured, That no Condition ſhall make me depart from, or leſſen, ſo eſſential a Part of the Monarchy; And I am willing to believe ſo well of the Houſe of Commons, that I am confident theſe ill Conſequences are not intended by you. Theſe are in ſhort the Reaſons why I can by no means approve of your Addreſs; and yet, tho' you have declin'd to grant me that Supply which is neceſſary to the Ends of it, I do again declare to you, That as I have done all that lay in my Power ſince your laſt Meeting, ſo I will ſtill apply myſelf, by all the Means I can, to let the World ſee my Care for the Security and Satisfaction of my People, altho' it may not be with thoſe Advantages to them, which by your Aſſiſtance I might have procured.'

At the Concluſion of this Speech, his Majeſty was pleas'd farther to declare his Pleaſure to them, That the Houſe be Adjourn'd till the 16th of July next; telling them, he would give them notice by his Proclamation when he intended they ſhould ſit again; which his Majeſty was pleas'd

Parliament adjourn'd.

to

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to add would not be till the Winter, unless there shou
happen some extraordinary Occasion of calling them sooner

The Members, after this Rebuke, return'd to the Hous
as it was said, greatly appall'd: Where several of them o
fering modestly to give vent to their present Though
they were continually prevented by the Speaker; who a
firm'd that, after the King's Pleasure was signify'd for
Adjournment, there was no Liberty of Speech. Neve
theless, many Persons insisting to be heard; He, without an
Question put, of his own Motion, pronounc'd the Hou
adjourn'd, and hastily quitted the Chair; to the no sma
Astonishment of the Members.

Strange Behaviour of the Speaker.

Meets again.

On the 15th Day of January both Houses of Parliamen
met according to Adjournment, after a Recess or Interv
of a little above seven Months. But before they began an
Business, the King sent them this following Message: 'Th
'his Majesty had Matters of very great Importance to com
'municate to both Houses, in order to the Satisfaction
'the late Addresses for the Preservation of Flanders. Bu
'it so happening, that Matters are not yet so ripe as withi
'a few Days they will be; therefore his Majesty's Pleasur
'was, that they should be immediately adjourn'd till Monda
'the 28th of this Instant January.' On that Day his Ma
jesty came to the House of Peers, and sending for the Com
mons, he made this remarkable Speech to both Houses:

The King's Message.

'My Lords, and Gentlemen,

'WHen we parted last, I told you, That before w
'met again I would do that which should be to you
'Satisfaction; I have accordingly made such Alliances wit
'Holland as are for the Preservation of Flanders, and whic
'cannot fail of that End, unless prevented either by th
'Want of due Assistances to support those Alliances, or b
'the small Regard the Spaniards themselves must have
'their own Preservation. The first of these I cannot suspec
'by Reason of your repeated Engagements to maintain them
'and I know you are so wise as to consider, That a Wa
'which must be the necessary Consequence of them, ough
'neither to be prosecuted by Halves, nor to want such A
'surances of Perseverance as may give me Encouragemen
'to pursue it: Besides, it will not be less necessary to le
'our Enemies have such a Prospect of our Resolutions,
'may let them see certainly, That we shall not be weary o
'our Arms, till Christendom be restored to such a Peace,
'shall not be in the Power of any Prince alone to disturb.

And Speech to both Houses.

'I do acknowledge to you, that I have used all Mean
'possible, by a Mediation, to have procured an honourabl
'and safe Peace for Christendom; knowing how preferabl
'such

'such a Peace would have been to any War, and especially to this Kingdom, which must necessarily own the vast Benefits it has receiv'd by Peace, while its Neighbours only have yet smarted by the War: But, finding it no longer to be hoped for by fair Means, it shall not be my Fault if that be not obtain'd by Force, which cannot be had any other Ways. For this Reason I have recall'd my Troops from France, and have consider'd, that, altho' the Dutch shall do their Parts, we cannot have less on ours than ninety Sail of Capital Ships constantly maintain'd, nor less than thirty or forty thousand Land-Men (with the Dependencies) to be employ'd upon our Fleets and elsewhere. And, because there shall be no fear of misemploying what you shall give to these Uses, I am contented that such Money be appropriated to those Ends as strictly as you can desire. I have given Testimony enough of my Care in that Kind, by the Progress I have made in Building the new Ships; wherein, for the making them more useful, I have directed such larger Dimensions, as will cost me above one hundred thousand Pounds more than the Acts allow. I have gone as far as I could in Repairing the Old-Fleet, and in Buying necessary Stores for the Navy and Ordnance; and in this and other Provisions, for better securing both my foreign Plantations and the Islands nearer home, I have expended a great deal more than the two hundred thousand Pounds you enabled me to borrow upon the Excise, altho' I have not found such Credit as I expected upon that Security. I have born the Charge both of a Rebellion in Virginia, and a new War with Algiers: I stand engag'd with the Prince of Orange for my Niece's Portion; and I shall not be able to maintain my constant necessary Establishments, unless the new Impost upon Wines, &c. be continu'd to me, which wou'd otherwise turn only to their Profit to whom we least intend it.

'I hope these Things will need little Recommendation to you, when you consider your Promises in some, and the Necessity of the rest; and to let you see that I have not only employ'd my Time and Treasure for your Safety, but done all I could to remove all sorts of Jealousies: I have marry'd my Niece to the Prince of Orange, by which I hope I have given full Assurances that I shall never suffer his Interests to be ruin'd, if I can be assisted as I ought to be, to preserve them. Having done all this, I expect from you a plentiful Supply suitable to such great Occasions; whereon depends not only the Honour, but, for aught I know, the Being of the English Nation, which will not be sav'd by finding Faults afterwards, but may be prevented by avoiding the chief Fault of doing weakly and by halves,

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'halves, what can only be hoped from a vigorous and 'thorough Proſecution of what we undertake. Theſe Con-'ſiderations are of the greateſt Importance that ever con-'cern'd this Kingdom, and therefore I would have you 'enter immediately upon them, without ſuffering any other 'Buſineſs whatſoever to divert you from bringing them to 'good Reſolutions.'

'The Seſſion open'd with an unexpected Strain of * Loy-alty, for before the Houſe had conſider'd any Part of his Majeſty's Speech, having ſat on part of the 30th of January, the Anniverſary Faſt, upon the Motion of the Lord † O-Brian, whoſe Son had lately married the Lord-Treaſurer's Daughter, they voted, 'The Sum of ſeventy thouſand Pounds for a ſolemn Funeral of his late Majeſty King Charles the Firſt, and to erect a Monument for the ſaid Prince of glori-ous Memory; the ſaid Sum to be rais'd by a two Months Tax, to begin at the Expiration of the preſent Tax for building Ships.'

Lord O-Brian's Motion for a ſolemn Funeral and a Monu-ment to the Memory of the late King. 70,000l. voted for that End.

The next Day the Houſe took the King's Speech into Conſideration, and in return preſented an Addreſs to his Majeſty at Whitehall, declaring their 'Thanks for his Care expreſſed for the Preſervation and Encouragement of the Proteſtant Religion, in concluding a Marriage between his Niece and the Prince of Orange; beſeeching him not to admit any Treaty of Peace, whereby the French King ſhould be left in Poſſeſſion of any greater Dominion or Power, than was left him by the Pyrenean Treaty: That both on our Parts, and the Parts of the Confederates, no Ship nor Veſſel may be admitted to come out of any Port of France, but that the Ships and Men be ſeiz'd, and the Goods deſtroy'd: That he would pleaſe to provide that none of the Parties who ſhould join in this Alliance and Con-federacy againſt France, depart from the ſaid Alliance, till the

An Addreſs to the King.

* *The Conſtitution of the preſent Houſe of Commons, that had ſat near ſeventeen Years, was now more manifeſtly grown into two Parties, which were call'd by the Name of the Court and the Country: The Former were grown numerous, by a Practice introduc'd about five Years before this Time by the Lord-Treaſurer Clifford, of downright buying of one Man after another, as they could make the Bargain. The Country Party ſtill con-tinu'd the Majority, and retain'd more Credit upon the Corruption of others and their Profeſſion of Adherence to the true Intereſts of the Nation, eſpe-cially in the Points of France and Popery: Where theſe came in queſtion many of the Court Party voted with thoſe of the Country, who then car-ried all before them; but whenever the Court appear'd to fall in with the true Intereſts of the Nation, eſpecially in theſe two Points, then many of the Country Party, meaning fairly, fell in with the Court, and carried the Votes, as they ſoon did upon the King's Pretence to grow bold with France and reſolve upon a War, if the Peace was refus'd.* Echard.

† *Vid. Append.*

the ſaid King be reduced to the ſaid Treaty: That neither we nor the Confederates admit any Trade with France, or ſuffer any Goods to be imported from thence on pain of Forfeiture: That his Majeſty in making ſuch Confederacies as neceſſary for attaining theſe Ends, ſhall never doubt of the Affections of his People. Laſtly, they renew'd their former Proteſtations and Engagements to perſevere in the Proſecution of the ſaid War; and when he ſhould be pleas'd to impart ſuch Alliances and Confederacies to them in Parliament, they would give ſuch ready Aſſiſtances, upon all Occaſions, as might bring the War to a happy Concluſion. Anne 12 Car. II. 1677.

To this Addreſs the King return'd the following Anſwer in Writing, which was read in the Houſe of Commons the 4th of February: 'That he was not a little ſurpris'd to 'find ſo much inſerted in their Addreſs of what ſhould not 'be, and ſo little of what ſhould: That his Speech was to both 'Houſes jointly, and the Return ought to be from both: That 'in their Addreſs of the 20th of May laſt, they did invite 'him to a League Offenſive and Defenſive with Holland 'againſt the French King, and for preſerving the Spaniſh 'Netherlands; and upon his Declaration of ſuch Alliances, 'aſſur'd ſuch ſpeedy Aſſiſtances as might fully anſwer the 'Occaſion: That he hath made ſuch Alliances, yet finds no 'Return but the old Promiſes upon new Conditions; and 'ſo he may be uſed to Eternity, ſhould he ſeem ſatisfy'd with 'ſuch Proceedings: That on the 28th of May laſt he told 'them, how highly he was offended at the great Invaſion 'of his Prerogative; yet they took no notice of it, but added 'to their former ill Conduct new Invaſions. They deſir'd 'him to oblige his Confederates never to conſent to a Peace 'till the moſt Chriſtian King be reduc'd to the Pyrenean 'Treaty; a Determination fitting only for God Almighty, 'ſince none but he can tell the Terms of Peace who knows 'the Event of War: They deſire him not to ſuffer a Ship 'of theirs to come from France under Pain of Confiſcation, 'not excepting Allies, Prince, or Ambaſſadors (if any among 'them:) That he did not believe any Aſſembly of Men ever 'gave ſo great and public a Provocation to the whole World, 'without ſo much as conſidering to provide one Ship, Re-'giment, or Penny towards juſtifying it: That, however, if 'by their Aſſiſtance he might be put into Arms ſufficient for 'ſuch a Work, he would not be weary till Chriſtendom be 'reſtor'd to ſuch a Peace, that it ſhould not be in the power 'of one Prince to diſturb it: That the Rights of making 'and managing War and Peace were in his Majeſty; and if 'they thought he would depart from any Part of that Right, 'they were miſtaken: the Reins of Government were in 'his Hands, and he had the ſame Care to preſerve them 'there,

The King's Anſwer.

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there, as to preſerve his own Perſon. He kept both his People's Protection and Safety; and that if the Houſe of Commons would encourage his Majeſty to go further in Alliances, they muſt conſider of raiſing ſpeedy Supplies; for from the Conſideration of thoſe he muſt take his Meaſures.'

Shortly after the Commons reſolv'd upon a Supply, but with ſome ſtrict Limitations. At the ſame time they undertook to regulate ſuch Grievances as aroſe from their own Privileges; and took off all written Protections which had been granted by ſeveral Members to ſuch as were not really their Servants, to an incredible Number; and particularly voted, 'That no Protection ſhould be allow'd to any but their menial Servants, actually in Service, and that not without a written Certificate.'

The next thing the Houſe did, was to haſten the Poll-Bill for raiſing of Money; and on the 14th of March they expreſs'd their Impatiency for a War in theſe Terms: 'Upon ſeveral Motions made for conſidering the deplorable Condition of the Nation, reſolv'd in a Committee of the whole Houſe, That it is their Opinion, that an Addreſs be preſented to the King, humbly to adviſe his Majeſty, that his Majeſty, to quiet the Minds of his loyal Subjects, and to encourage the Princes and States, Confederates againſt the French King, would be graciouſly pleaſed to proclaim and enter into an actual War with the French King; and to give his Majeſty Aſſurances, That this Houſe will conſtantly ſtand by and aid his Majeſty, in the Proſecution thereof, with neceſſary and plentiful Supplies and Aſſiſtances; and that his Majeſty would preſently diſmiſs the French Ambaſſador, and recal his from France and Nimeguen.' Which Addreſs was the next Day drawn up accordingly, and ſent to the Lords for their Concurrence, but never proceeded further. For the King made haſte to ſecure the Money-Bill, and on the 20th of March came to the Houſe of Peers, and paſſed that and another, entitled, *An Act for Continuance of two former Acts, for preventing of Theft and Rapine upon the Northern Borders of England.* In the Poll-Bill there was one ſtrict appropriating Clauſe for the Money ſo levied, to be apply'd to no uſe but the intended French War; and alſo another Clauſe prohibiting the Importation of any French Commodities for three Years. Upon paſſing theſe Bills, by the King's Order, the Parliament was adjourn'd till the 11th of April, when both Houſes met, and adjourn'd to the Monday following.

An Addreſs voted, that his Majeſty would declare War againſt France.

Sent up to the Lords, where it ſtops.

The King comes to the Houſe.

A ſhort Receſs.

On the King's particular Appointment, (Mr. Edward Seymour the former Speaker being ill) the Commons choſe a new one, Sir Robert Sawyer, one of the King's Council; and then adjourn'd to Monday the 29th of April. But in a few days Sir Robert Sawyer excus'd his Attendance

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in a Letter, that he could not follow the Service by reaſon of a violent Fit of the Stone, occaſion'd by his long ſitting one Day in the Houſe; whereupon the old Speaker, Mr. Edward Seymour, was again choſen, and reinſtated in the Chair.

Both Houſes being met on Monday the 29th of April, and the King upon the Throne; the Lord-Chancellor Finch, in a long Speech, 'recited all the Addreſſes that had been made in relation to a War with France; what the King had already done in purſuance of the ſame, and joining in an effectual League with the Confederates to that End, and how ready the King was to purſue their Deſires; but that now his Majeſty had diſcover'd, that the Dutch were entering upon a Treaty of Peace with the French King, and that without his Conſent or Privity; therefore his Majeſty demands the Advices of his two Houſes how to proceed.' Upon Conſideration of this, on the 4th of May, the Commons directly voted, 'to give their humble Advice to his Majeſty, that he would forthwith enter into the preſent Alliance with the Confederates, and an actual War with France, &c.' Beſides this Advice, it was voted by a Majority of ſixteen Voices, 'That the late Leagues, made with the States-General of the United Provinces, are not purſuant to the Addreſſes of this Houſe, nor conſiſtent with the Good and Safety of the Kingdom.' Upon which, two Days after, the King being diſoblig'd, return'd this Anſwer, (by Mr. Secretary Williamſon) 'His Majeſty having been acquainted with the Votes of the 4th Inſtant, is very much ſurpriz'd both with the Matter and Form of them; but if his Majeſty had had Exceptions to neither, yet his Majeſty, having ask'd the Advice of both the Houſes, doth not think fit to give an Anſwer to any thing of that Nature, till he hath the concurrent Advice of both Houſes.'

Lord Chancellor Finch demands the Advice of both Houſes, in his Majeſty's Name.

The Commons Vote thereon.

The King's Reply.

The next Day, May the 7th, the Houſe reſolved, That an Addreſs ſhould be preſented to his Majeſty, for a ſpeedy Anſwer to their Addreſs of May 4. After which the Queſtion being put, that an Addreſs be preſented to his Majeſty, to remove thoſe Counſellors who advis'd the Anſwers to the Addreſſes of May 26, and January 31 laſt, or either of them, it paſs'd in the Affirmative: Yeas 154, Noes 139. A Debate likewiſe ariſing on the ſaid Addreſs, a Motion was made to adjourn, but was over-rul'd: Noes 144, Yeas 103. The Queſtion was then put, that an Addreſs be preſented to remove the Duke of Lauderdale from his Majeſty's Council and Preſence, which paſs'd in the Affirmative: Noes 92, Yeas 137. May the 8th, the Addreſs was read for the firſt time by Sir Thomas Clarges, but ſeveral Debates ariſing thereon

An Addreſs voted to remove certain Counſellors.

Read by Sir Tho. Clarges.

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thereon, the House adjourned. May 10, Mr. Powle read the Address for the second Time, and the Question being put whether the House should proceed on the said Address it pass'd in the Affirmative: Noes 174. Yeas 176. The House divided on the fourth and sixth Paragraphs, the first of which was carry'd by six, and the last by three Voices.

And again by Mr. Powle.

The Address was as follows:

(*An Abstract of which only has hitherto been published.*)

'We your Majesty's most humble and loyal Subjects, the Commons in this present Parliament assembled, do in all Duty and Thankfulness humbly acknowledge your Majesty's Grace and Favour, in demanding our Advice upon the State of your Affairs, in the present Juncture, wherein your Majesty's Honour, and the Safety of this Kingdom are so nearly concern'd. According to which Command of your Majesty, we did immediately enter upon Consideration of what was imparted to us by your Majesty's Order, and, after serious Examination, and weighing of the Matter, we did resolve upon an Advice; which, because of the Urgency of Affairs, and the Expedition they did require, we did present in that Form, as was not usual in a Matter of so great Importance, and which we then directed to excuse to your Majesty, upon that Consideration, and because we apprehended the Dangers were so imminent, that the Delay of the least Time might be a great Prejudice to your Majesty's Service, and the Safety of your Kingdom. After so much Time already lost, we thought it necessary to apply immediately to your Majesty by ourselves; which, in Matters of this nature, is wholly in the choice of this House, and hath been frequently practised by us; and, because these Occasions are so pressing upon your Majesty, and the whole Kingdom so deeply sensible thereof, we most humbly beseech your Majesty, to communicate to us the Resolutions your Majesty hath taken upon our said Advice, that thereby, these imminent Dangers may be timely prevented.

'And whereas the Commons conceive that the present Inconveniencies and Dangers under which the Kingdom now lies, might either totally, or in a great measure have been prevented, if your Majesty had accepted of that Notice which in all Humility and Faithfulness we presented to your Majesty on the 26th of May last, and which we reiterated to your Majesty on the 31st of January ensuing, the refusing of which Advice, and dismissing the Parliament in May last, was the Occasion of those ill Consequences which have since succeeded both at Home and Abroad; all which have arisen from those Misrepresentations of our Proceedings, which have been suggested to your Majesty by some particular

ticular Persons in a clandestine Way, without the Participation and Advice, as we conceive, of your Council-Board, as tho' we had invaded your Majesty's Prerogative of making Peace and War: Whereas, we did only offer our humble Advice in Matters wherein the Safety of the Kingdom was concern'd, which is a Right was never yet question'd in the Times of your Royal Predecessors; and, without which your Majesty can never be safe: Upon which Ground your Majesty was induc'd to give us such Answers to those two Addresses; rejecting our Advice, as thereby your Majesty's good Subjects have been infinitely discourag'd, and the State of your Majesty's Affairs reduc'd to a most deplorable Condition: We do therefore most humbly desire that, for the Good and Safety of this Kingdom, and the Satisfaction of your Subjects, your Majesty would be graciously pleased to remove those Counsellors who advis'd the Answers to our Addresses of the 26th of May, and 31st of January last, or either of them.

And we do, farther, most humbly desire your Majesty favourably to accept this our humble Petition and Address, as proceeding from Hearts truly devoted to your Majesty's Service; and that, as we have never yet fail'd of giving Testimony of our Affection and Loyalty, to your Majesty's Person and Government, so your Majesty may rest confidently assur'd, that we shall never be wanting to support your Majesty's Greatness and Interest, while your Majesty relies on our Councils; which can have no other End, than what sincerely tends thereto, notwithstanding any sinister or self-interested Endeavours to make Impressions on your Majesty to the contrary.'

After this Address had been read, a Motion was made to adjourn the House, but over-rul'd on a Division: Yeas, 150; Noes, 158. A Motion being then made, that the Address relating to the Duke of Lauderdale, might be added to this, the following Paragraph was added:

The Duke of Lauderdale expressly nam'd in it.

'And farther we humbly beseech your Majesty, that the Duke of Lauderdale may be remov'd from your Presence and Councils.'

Mr. Secretary Williamson.

The next Day, Mr. Secretary Williamson, giving the House to understand that his Majesty would receive their Address that Afternoon; added by Command: That his Majesty expected they would dispatch the Supply, or he should be oblig'd to lay up several of the great Ships already provided, and to disband many of the Forces newly rais'd. This gave rise to a Debate; and an Adjournment being propos'd, it pass'd in the Negative: Yeas 177, Noes 178.

The next Day his Majesty prorogu'd both Houses to the 3d Instant, having first answer'd the Address *extempore*, (according

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cording to Mr. Echard, tho' the Parliament Journals make no such mention) to this purpose, 'That he was much surpriz'd at the Extravagancy of their Address, and unwilling at present to give it such an Answer as it deserv'd.'

The seventeenth Session of the second Parliament.

On Thursday the 23d of May, after a short Recess or Interval, the Parliament met again; when his Majesty expressed himself to the following effect from the Throne:

The King's Speech to both Houses.

'My Lords and Gentlemen,

'IN the first place, I am resolv'd, as far as I am able, to save Flanders, either by a War or a Peace, which way I see most conducing to that end. In either way, I think it convenient to keep up my Army, and Navy at Sea, for some time; but I leave it to you to consider of Supplies for their Continuance or Disbanding; and in either case not to discourage so many worthy and gallant Gentlemen, who have offer'd their Lives and Services to their Country, and that in pursuit of your Advice and Resolutions. I must tell you, that a Branch of my Revenues is now expiring, and another Part of it is cut off by a Clause in the Poll-Bill; that I have borrow'd two hundred thousand Pounds upon the Excise at your request; of all which you are to consider. That I have no Intentions but of Good to you, and my People, nor ever shall; therefore I desire you will not drive me into Extremities, which must end ill both for you and me, and (which is worst of all) for the Nation. I desire to prevent all Disorders and Mischiefs that may befal by our Disagreement; but in case there do, I leave it to God-Almighty to judge who is the occasion of it. In conclusion, I must tell you, That I will not, for the future, suffer the old course and method of passing of Laws to be chang'd, by tacking together several Matters in one Bill; but this Bill shall certainly be lost, let the Importance be what it will. The rest I leave to the Lord Chancellor.'

The Lord Chancellor's Speech.

Accordingly his Lordship made a long and remarkable Speech, of which the most material Part is as follows: 'That with reference to the present State of Christendom and a general Peace, the Advances which had been made abroad, tho' hastened by some late Occurrences, were long since meditated and prepared in Holland: For when the States-General perceiv'd, that tho' they had strain'd themselves to the utmost, and exceeded all the Proportions which by their Treaty they were bound to furnish, yet the Spaniards fail'd them in every Point, not only in the Subsidies they were oblig'd to pay, but in the very Strength and Forces they stood engag'd to set out; insomuch that all their

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Towns and Garrisons were so far from being in any reasonable Posture to receive an Enemy, that they remain'd as perfectly defenceless as if they were intended to be abandon'd: Hereupon the States resolv'd to seek all Occasions of coming out of the War, and to lay hold on the first that should offer itself; and to that End, the last Year they solicited his Majesty to endeavour a Peace, and they would then have taken such a Peace as they now seek: But his Majesty thought he had done great Service to the Christian World, when he had gain'd two Points upon them; First, to model and concert with them the Terms and Articles of a better Peace; and then, on Prospect of that Peace, to enter into a League offensive and defensive with his Majesty, to obtain that Peace by Force, if it could not be had otherwise. Tho' the Dutch were still inclin'd to accept of Peace, and were hearkening after the French Propositions at Nimeguen; yet such were his Majesty's Resolutions to hold them to their League, and so constant were all his Refusals to hearken to such a Peace, that they must of Necessity at last have been oblig'd to continue on the War some way or other. But since it was heard abroad, that this League, which was the only Thing by which his Majesty could oblige the States, had been so ill understood at home, as to meet with some very unfitting, and very undeserving Reflections; as soon as it had taken Air, and understood, * That there was a Resolution to give no Money until Satisfaction was given in Matters of Religion, which in all Countries are the longest Debates that can be enter'd upon, and at this Time, above all others, should least have been stirr'd; and when at last the King had receiv'd an Address, which they took to be of such Nature as was never seen or heard of before in any State or Kingdom of the World, and proceeded so far as to express his Resentment of it: Then they concluded with themselves, That it was in vain to rely any longer upon England, for England was no longer itself: then all Sides began to wish for Peace, even Spain, as well as Holland; and if the Cessation, which is endeavour'd to be made in order to it, takes effect, as in all likelihood it will, we may conclude, That the Peace will soon follow.'

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This Part of the Speech gave great Umbrage to the Commons.

After this historical Account, he proceeded to this Effect: 'What Influence such a Peace will have upon our Affairs, is uncertain; only we know we have given no small Provocation to a mighty King, who may be at leisure enough to resent it when he pleases; therefore it imports us to secure ourselves, by preserving Peace and Unity at home: He that foments Divisions now, does more Hurt to his Country, than a foreign Enemy can do, and disarms it at a Time when

* *On the Motion of Sir Thomas Clergis.*

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when all the Hands and Hearts we have are little enough to defend us: No Fears of arbitrary Government can justify no Zeal to Religion can ſanctify ſuch a Proceeding!' He then reminded them of the late Times, 'When Religion and Liberty were truly loſt, by being made a handle and pretence for Sedition; when Prelacy was call'd Popery, and Monarchy named Tyranny, &c.' and can we now endure to ſee Men break the Act of Oblivion every day, by reviving the Memory of forgotten Crimes in new Practices? It is worth the Conſideration, whether we do not bring ſome kind of Scandal upon the Proteſtant Religion, when we ſeem ſo far to diſtruſt the Truth and Power of it, that, after ſo many Laws paſt to guard it, and ſo many miraculous Deliverances from the Attempts made againſt it, we ſhould ſtill be afraid of its Continuance? Hath not the late Act made it abſolutely impoſſible for the moſt conceal'd Papiſt that is, to get into any kind of Employment? And did ever any Law ſince the Reformation give us ſo great a Security as this? As little reaſon there is to be jealous of our Liberties and Properties. Can there be a greater Evidence of the Moderation of a Prince, and his Tenderneſs of the Liberty of the Subject, than to ſuffer, as he does every day, ſo much licentious and malicious Talk to paſs unpuniſh'd? If there be not a ſingle inſtance to be found in a whole Reign, of a Man that has ſuffer'd againſt Law, and very few of thoſe that have ſuffer'd by it, ſhall we endure them that dare ſay in all public Places, 'That the Nation is enſlav'd? Let them ſhew the time, if they can, ſince the World began, and this Nation was firſt inhabited, wherein there were fewer Grievances, or leſs cauſe to complain than at this preſent time: Nay, let them ſearch all Ages and Places and tell us when and where there was ever found a happier People than we are at this day.'

He proceeded then to the Matter of the Revenue, and to the ſame purpoſe with what the King had ſaid before, with ſome Enlargement; but plainly told them, 'That the Manner of their Proceedings was as conſiderable to his Majeſty as the Matter; and that he would not accept a good Bill how valuable ſoever, unleſs it came to him in the old and decent Method of Parliaments: That the late way of tacking together ſeveral independent and incoherent Matters in one Bill, ſeem'd to alter the whole Frame and Conſtitution of Parliaments, and conſequently of the Government itſelf. It took away the King's negative Voice in effect, and forc'd him to take all or none, when one part of the Bill might be as dangerous, as the other was neceſſary for the Kingdom. It took away the negative Voice of the Houſe of Peers by the ſame Conſequence, and diſinherited the Lords of their native Liberty of debating and judging what is good for

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the Kingdom: It look'd like a kind of defamation of the Government, and ſeem'd to ſuppoſe the King and Lords to be ſo ill affected to the Public, that a good Bill could not carry itſelf through by the Strength of its own Reaſon and Juſtice, unleſs help'd forwards by being tack'd to another that will be favour'd: It did at laſt give up the greateſt ſhare of the Legiſlature to the Commons, and by conſequence the chief Power of judging what Laws are beſt for the Kingdom.' In fine, he ſhew'd that the ſame Method might be made uſe of by the Lords againſt the Commons; and thus every good Bill would be dearly bought at laſt, and one chief end of calling Parliaments, the making of good Laws, be wholly fruſtrated and diſappointed, by departing from that Method which the Wiſdom of our Anceſtors purpoſely preſcrib'd to prevent and exclude ſuch Inconveniencies. Theſe Innovations the King reſolv'd to aboliſh, and had commanded him to ſay to them, *State ſuper Vias antiquas.*' Then he ſaid, 'If this Seſſion do not repair the Misfortunes, and amend the Faults of the laſt, it will look like a Fatality upon the Nation. He whoſe Houſe is deſtroy'd by Fire, would find but little comfort in ſaying, The fire did not begin by his means; but it will be a matter of perpetual Anguiſh and Vexation to remember, That it was in his power to have extinguiſh'd it. Let the World now ſee, that your Zeal to preſerve the Government is the ſame as when you were ready to die for its Reſtoration; and know, 'tis an Act as meritorious, and of as great Duty and Loyalty, to ſtand between the King and thoſe Libellers, who would create a Miſunderſtanding between him and his Parliament, as 'tis to fight for him in a Day of Battel. Embelliſh the Hiſtory of this Parliament, by ſhewing us the healing Virtue of this Seſſion: So ſhall your Service be acceptable to the King, who never forgets any thing but Injuries: So ſhall you recommend yourſelves to Poſterity, by tranſmitting to them the ſame Peace and Happineſs you are truſted with. And the God of Peace and Unity proſper all your Conſultations to the Honour and Happineſs of the King, and the Joy and Comfort of all his good Subjects.'

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The Houſe being return'd, proceeded to Buſineſs, and firſt of all renew'd the ſtanding Order of the Houſe with regard to Bribery and Corruption at Elections; which was as follows:

Reſolution relating to Bribery at Elections.

Reſolved, That if any Perſon, hereafter to be elected into a Place to ſit and ſerve in the Houſe of Commons, for any County, City, Town, Port, or Borough, after the Teſte of the Writ or Writs of Election, upon the calling or ſummoning of any Parliament hereafter; or after any ſuch Place becomes vacant hereafter in time of Parliament, ſhall, by himſelf,

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himſelf, or any other on his behalf, or at his charge, at any time before his Election, give any Perſon or Perſons, having Voice in ſuch Elections, Meat or Drink, exceeding in the true Value 10 *s.* in the whole, in any Place or Places, but in his own Dwelling-houſe or Habitation, being the uſual Place of his Abode for ſix Months laſt paſt; or ſhall, before ſuch Election be made and declar'd, make any other Preſent, Gift or Reward, or any Promiſe, Obligation, or Engagement to do the ſame, either to any ſuch Perſon or Perſons in particular, or any ſuch County, City, Town, Port or Borough in general; or to, or for the Uſe and Benefit of them, or any of them; every ſuch Entertainment, Preſent, Gift, Reward, Promiſe, Obligation or Engagement, is by this Houſe declar'd to be BRIBERY; and ſuch Entertainment, Preſent, Gift, Reward, Promiſe, Obligation or Engagement being duly prov'd, is and ſhall be ſufficient cauſe and matter to make every ſuch Election VOID, as to the Perſon ſo offending, and to render the Perſon ſo elected incapable to ſit in Parliament by ſuch Election: And hereof the Committee of Elections and Privileges is appointed to take eſpecial notice and care, and to act and determine Matters coming before them accordingly.

Reſolved, That the ſaid Order do continue a ſtanding Order of the Houſe, *&c.*

A Motion to addreſs the King to declare War againſt France.

The next remarkable Tranſaction of the Houſe, was a Debate for an Addreſs that his Majeſty would acquaint the Houſe with the ſtate of Affairs in relation to War and Peace, as likewiſe to ſignify to his Majeſty, that if he thought fit to enter into a War againſt the French King in concert with the Emperor, *&c.* the Houſe would ſupport him therein. Upon which, a motion was made to adjourn; which was

Carry'd.

carried in the Affirmative, Yeas 195, Noes 176. Nevertheleſs at their next Meeting, May 27, a Reſolution paſt to the like purpoſe, with this additional Circumſtance, that in caſe his Majeſty declin'd to enter into the War, the Houſe would provide for the ſpeedy diſbanding of the Army.

The Houſe further order'd, That the Members of his Majeſty's Privy Council, do acquaint the King with theſe Votes and pray his Majeſty's ſpeedy Anſwer. To which the King return'd the following Anſwer, which was read the very next Day in the Houſe of Commons:

The King's Anſwer.

'That the French 'King hath made ſuch Offers of a Ceſſation till the 27 'of July, as his Majeſty doth not only believe will be ac- 'cepted, but will end in a general Peace; yet ſince that is 'not certain, he does not think it prudent to diſmiſs either 'Fleet or Army before that time, nor doth he think it will 'add much to the Charge, in regard the raiſing Money 'and paying them off, would take up that time, were they

'be disbanded as ſpeedily as poſſible: In the mean time he 'deſired Money for their Subſiſtence, that, as hitherto they 'have been the moſt orderly Army that ever came together, 'they may be encourag'd to continue ſo. Then he con-'cluded with reminding them of the two hundred thouſand 'Pounds formerly mentioned in his Speech, which he want-'ed for the Subſiſtence of his Houſhold.' Hereupon, on the next ſitting Day, the Commons unanimouſly voted, 'That all Forces rais'd ſince the 29th of September laſt (except thoſe tranſported to Foreign Plantations) be forth-with paid off and disbanded, and that they would conſider of a Supply for that purpoſe.'

Upon the 4th Day of June, the Houſe of Commons, who ſeem'd now in a more giving humour than in the laſt Seſſion, firſt voted two hundred thouſand Pounds to be rais'd by a monthly Tax, in ſix Months, after the Land-Tax now in being, ſhould be expired; but with a Clauſe, That this be for the disbanding the Army, by the end of this preſent June. The next day they voted the King two hundred thouſand Pounds more, towards defraying the Expences of the Fleet; and were ready to add another ſuch Sum for the King's extraordinary Occaſions. Soon after which his Majeſty ſent them a Meſſage by one of his Secretaries of State, importing, 'That his mind was ſtill the ſame with what he 'deliver'd in his Speech the 23d of May laſt, *viz.* That 'the Army and Fleet ought to be kept up till the expected 'Peace be concluded: And he further recommended to 'their Conſideration, whether it were not diſhonourable for 'him to recall his Forces in Flanders, from thoſe Towns 'which he had taken into his Protection, before they could 'provide themſelves of other Succours.' Upon Conſideration of which, the Commons extended the time, as to the Forces in Flanders, to the 27th Day of July. But upon Saturday the 15th of June they reſolv'd, 'That after the Tueſday following, no Motions ſhould be made for any new Supplies of Money, till after the next Receſs; nor any more private Bills brought in, till after the ſaid Receſs.' The Diviſion on the previous Queſtion being Yeas 160, Noes 154; and on the Queſtion itſelf, Yeas 163, Noes 154.

The Commons vote a Supply.

A Meſſage from the King.

And reſolve no Motion ſhall be made for a new Supply till after the next Receſs.

On the foreſaid Tueſday, June 18th, the King came to the Houſe of Peers, and ſending for the Houſe of Commons, he declar'd to them;

'THat the Seaſon requiring a Receſs by the middle of next Month, it was convenient that he and his Parliament ſhould part fairly, and with a perfect Confidence of one another: Therefore he open'd his Heart freely to them in ſome Particulars of the neareſt Concern:

The King's ſecond Speech to both Houſes.

'That

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'That what he told them in the Beginning of the Seſſion
'concerning a Peace, ſeem'd ready to be determin'd, a
'leaſt as to Spain and Holland; in which Peace his Par
'would be not only that of a Mediator, but alſo to give hi
'Guaranty in it. That Spain writes word, That unleſ
'England bears the charge of maintaining Flanders, ever
'after the Peace, they will not be in a condition to ſuppor
'it long; therefore to that end, it was neceſſary to keep u
'the Navy at Sea, and not only ſo, but to give the World
'ſome aſſurance of being well united at home: That tho
'the Houſe of Commons might think ſuch a Peace as ill
'Bargain as a War, becauſe it would coſt them Money
'yet if they ſeriouſly conſider'd that otherwiſe Flander
'had been loſt, and perhaps by this time, he believ'd the
'would give much greater Sums than that would coſt, ra
'ther than the ſingle Town of Oſtend ſhould be in th
'French hands, and forty of their Men of War in ſo goo
'a Haven over againſt the River's Mouth. Then he inſi
'nuated to them, that they could not but be pleaſed to un
'derſtand, the Reputation England had gain'd abroad, b
'having in forty Days rais'd an Army of thirty thouſan
'Men, and prepar'd a Navy of ninety Men of War
'therefore if they deſir'd to keep up the Honour of th
'Crown at home, and look to the Safety of the Balance o
'Affairs abroad, and purſue the Wars of Algiers; if the
'deſir'd he ſhould paſs any Part of his Life in quiet, an
'all the reſt in Confidence and Kindneſs with them, an
'other future Parliaments; they muſt find a way, not onl
'to ſettle for his Life his Revenue as at Chriſtmas laſt, bu
'alſo to add a new Fund of three hundred thouſand Pound
'*per Annum*, upon which he would paſs an Act to ſettl
'fifty thouſand Pounds upon the Navy and Ordnance; an
'ſhould be likewiſe always ready to conſent to all ſuch Law
'as they ſhould propoſe for the Good of the Nation.' He
laſtly reminded them, 'to enable him to keep his word wit
'the Prince of Orange, in the Payment of his Niece's Por
'tion, which was forty thouſand Pounds; the firſt Payment
'being now due and demanded by him.'

Not comply'd with.

Upon the Return of the Commons to their Houſe, the
immediately took the Speech into conſideration, and ſoo
voted his Majeſty the humble Thanks of the Houſe for hi
moſt gracious Expreſſions in it. But when they came t
debate on the additional Revenue propos'd, they gave a tota
Denial to it; and not only ſo, but when a motion was mad
to give a Compenſation for the loſt Part of his Majeſty's Re
venues by the late prohibiting Act, concerning French Com
modities, it paſs'd in the negative, 202 againſt 145.

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The ſame Day, a Debate aroſe in the Houſe on the following ſeveral Heads, *viz.* To have an Account of what Penſions have been charg'd upon the Revenue: what Privy Seals have been iſſued for ſuch Service ſince May 1677, and for a Teſt concerning Bribery of Members for giving their Votes. And concerning Popery and taking the Sacrament: converſing with foreign Miniſters, and receiving Money from them: concerning ſuch as have receiv'd Money for Council for any Bill depending in the Houſe, or any Reward for being Chairman of a Committee: ſuch as have ſollicited for Voices in any Cauſe depending before the Houſe: ſuch as have offer'd their Service to great Perſons to give their Votes in Parliament, and have been refus'd: concerning ſuch as keep public Tables, and ſuch as have taken Money for granting Protections. Upon all which, a Motion being made to adjourn the Houſe, it paſs'd in the Negative: Yeas, 173; Noes, 103. A Reſolution was then taken for an Enquiry to be made into all the above Particulars; and the Queſtion being put: whether they ſhould be referred to a Committee, it paſs'd in the Negative: Yeas, 86; Noes, 100.

A Debate on Penſions, ſecret Service, &c.

On the 20th, the Lords having deſired a Conference on Matters of great Concern; and the Houſe having appointed a Committee for that Purpoſe, Mr. Powle, the ſame Day, made a Report of what paſs'd at it, which was as follows:

The Lords deſire a Conference.

Mr. Powle's Report.

That the Lord Privy-Seal (Earl of Angleſea) did manage the Conference, who acquainted the Manager for the Commons, that the Affair in queſtion was a Meſſage from his Majeſty, which the Lords judg'd to be of ſuch Moment to both Houſes, and the whole Kingdom, that they thought it ought to be communicated without Delay. They then gave a Copy of the Meſſage, which is here annex'd:

The King's Meſſage to the Lords.

The Lord Treaſurer, by his Majeſty's Command, did let the Houſe know, 'That his Majeſty had received a Letter 'from his Embaſſador at Nimeguen, Sir Lionel Jenkins, 'dated June 15, (N. S.) which gave an Account that the 'French Embaſſador had declar'd to the Dutch, that they 'would not void any of the Places they held in the Spaniſh 'Netherlands, until Sweden be effectually reſtor'd to the 'Places taken from them, notwithſtanding the Peace was 'already ſign'd and ratified between them: That, upon this 'is ariſen a Difficulty upon the ſide of the Spaniards, whether they will accept the French Conditions: That Mr. 'Beverning, one of the States Embaſſadors there, had thereupon earneſtly required of them, whether the Army of England was preſently to be disbanded, for no body could tell 'to what End Things would come: For if France would 'keep all the Places in the Netherlands filled with Troops, 'it is in vain the States have taken ſo much Pains about the

'Barriers,

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'Barriers, for then they will have none when all is don
'That Mr. Bevering was very anxious till he heard out
'England: that the Army might not yet be disbande
'that the Imperial Miniſters had been to viſit him that D
'and that their principal Buſineſs was to learn what th
'could from him, and in what State our Army was, Thin
'being in this doubtful Situation.'

The Reſult of this was a Meſſage to the Lords, to r mind them of the Bill, entitled, An Act *for granting a Su ply to his Majeſty, to enable him to diſband the Forces rais ſince* Sept. 29.

The new Impoſts on Wine confirmed.

The Houſe then reſolved into a Committee, to take in Conſideration the Motion for confirming the new Impo upon Wines, and alſo, to conſider of the Supply for Repa ment of the 200,000*l.* borrow'd on the additional Exci and for giving his Majeſty 40,000 *l.* for his Niece's Portion which being agreed to in the Committee, and reſolved on the Houſe, a Motion was made, that the Words (*the bet to enable his Majeſty to repair the Fleet*) be added to t Vote, it paſs'd in the Negative: Yeas, 127; Noes, 176.

The 25th, the Lords having return'd the Bill for gran ing a Supply to his Majeſty, to enable him to pay and di band the Forces rais'd ſince September 24, with Amen ments; the ſaid Amendments were ſeverally read and re jected; after which it was reſolved, that a Conferen thereon be demanded of the Lords; and a Committee w appointed to manage it.

A Conference demanded with the Lords.

Sir Richard Temple's Report relating thereto.

The 25th, Sir Richard Temple reported the Reaſons an Proviſos agreed on by the ſaid Committee, to be offer'd the Lords at the ſaid Conference, which were as follow:

'The Lords having agreed with the Commons in this Bi that there is no farther Occaſion for the Forces rais'd ſin September 29, and ſent to the Commons ſome Amendmen the Commons find themſelves obliged to diſagree with th Lords Amendments, by reaſon of the Methods and Righ of their Houſe in a Matter very tender to them: But for a ſwering the End to which the Lords ſeem to aim, the Co mons will offer an Expedient, which they conceive warran ed by Precedents, viz.

The Earl of Thanet's Bill enter'd into the Lords Journ Feb. 16[7]4, which the Lords then grounded upon a Precede in 35 of Queen Elizabeth; in both which, Proviſos we added by the Lords, after the Bill was ſent from the Lord not relating to any Amendments made by the Commons.

The Proviſo being then agreed to by the Houſe, w the ſame Day left, together with the Reaſons and Bill wi the Lords.

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The Houſe then reſolved into a Committee on the Supply, in which it being reſolved that 200,000 *l.* ſhould be laid on all Buildings erected on new Foundations ſince 1666; the Queſtion was afterwards put, whether the Houſe ſhould agree with the Committee thereon? It paſs'd in the Negative: Yeas, 88; Noes, 117.

The Lords deſire a ſecond Conference.

The 26th, the Lords by Meſſage deſired a ſecond Conference on the ſame Subject with the former; and the ſame Committee having been again appointed to meet them, Sir Thomas Meers, the ſame Day, gave in his Report of what paſs'd at it, is as follows:

Sir Thomas Meers's Report of what paſs'd therein.

Their Lordſhips, finding that as the Bill came up to them limited to ſo very ſhort a Time, for the Execution of it, and that under the Penalties of Forfeitures and Diſabilities to bear Office on thoſe who ſhould not do their Work, according to the Purport of the Bill within the Time prefix'd, which their Lordſhips found abſolutely impoſſible; they, therefore, proceeded to ſuch Amendments as made the Bill practicable, by aſſigning farther Periods of Time, *viz.* For diſbanding the Forces in England, to the 27th of July, and for thoſe beyond Sea to Auguſt 24. And for Apprentices to return to their Maſters, September 29. To all which Amendments you tell their Lordſhips, the Commons find themſelves oblig'd to diſagree with them, by reaſon of the Methods and Rights of your Houſe in a Matter very tender to you: But did not communicate to their Lordſhips what thoſe Methods and Rights were. But, for anſwering the End, which you told their Lordſhips, they ſeem to aim at, you offer'd them an Expedient in the Proviſo, then deliver'd, which you conceiv'd was warranted by two Precedents, which you mentioned. We are commanded at this Conference, to let you know that the Lords have diſagreed to your Proviſo, and for theſe Reaſons:

1. That you find their Amendments ſo neceſſary, that by the Expedient propos'd you have enlarg'd the Periods even of their Amendments.

2. The Precedents you produc'd were both in Caſes where Defects were found in Bills not remediable any other way; in which, therefore, both Houſes eaſily agree.

3. You obſerv'd rightly that thoſe Proviſos, as added by the Lords after the Bills ſent up to them by the Commons, did not relate to any Amendments made by the Commons. Whereas the Proviſo, now made by the Commons, relates to two of the Amendments, made by the Lords.

4. Their Lordſhips take notice, that tho' you ſeem to diſagree to all their Amendments, yet, in your Expedient, you take no notice of the Amendment relating to Apprentices,

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without which, the Proviſion which ſeems to be made fo them in the Bill, will be merely illuſory.

5. It is very doubtful, whether the Proviſo, as penn takes off the Forfeitures and Diſabilities.

6. If the Proviſo ſhould be added, the Clauſes of the B would be inconſiſtent with it; the ſame Bill appointing ſh Days under great Penalties, and enlarging the Days witho Penalties.

For theſe Reaſons, as their Lordſhips have diſagreed your Expedient, they do inſiſt upon their Amendments, a deſire your ſpeedy Concurrence in the Bill ſo amended, th his Majeſty may not want the Money, ſo neceſſary to h Service, and the Kingdom's Quiet.

The Amendments of the Lords were then read; the fir and ſecond of which, were again rejected, but the thi agreed to: The Houſe, likewiſe, reſolv'd to adhere to the Proviſo, and order'd their former Committee to draw Reaſons for the ſame.

A Supply voted.

The ſame Day, the Houſe Reſolv'd, That the Suppl not exceeding 414,000l. ſhall be rais'd by twelve Mont Land-Tax.

Sir Thomas Meers's Report concerning the Conference.

The 28th, Sir Thomas Meers reported from the free Co ference had with the Lords, on the ſubject Matter of th laſt, that the Lords had voted to adhere to the Amendmen and to diſagree to the Proviſo, but did not offer any Reaſ This produc'd two Reſolutions of the Houſe, to adhere the Proviſo, and diſagree to the Amendments.

July 1. The Houſe deſir'd another free Conference wi the Lords, in conſequence of the ſaid Reſolutions. The ne Day it was order'd that the Members who manag'd t Conference, or any three of them, ſhould prepare and dr up a State of the Rights of the Commons, in granting Money, with the Reaſons and Proceedings which had curr'd at the Conference; as, likewiſe, conſider how t Rights of the Houſe might be aſſerted; and of the Metho and Manner of Proceeding in Conferences between the t Houſes.

The 2d. It was *Reſolved*, That all Aids and Suppl granted to his Majeſty in Parliament, are the ſole Gift the Commons; that all Bills for the Granting any ſuch A and Supplies ought to begin with the Commons. And, T it is the undoubted and ſole Right of the Commons to d rect, limit and appoint, in ſuch Bills, the Ends, Purpoſ Conſiderations, Conditions, Limitations, and Qualificatio of ſuch Grants, which ought not to be chang'd by the Hou of Lords.

The Money-Bill paſs'd.

The 8th, The grand Money-Bill paſs'd for granting Supply to his Majeſty, for *l.* 619,388. 11. 9.

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The 15th, Sir Richard Temple deliver'd in his Report from the Committee, appointed to prepare a State of the Reasons and Proceedings relating to the above-mentioned Conferences; but the Entring the said Report was respited till further Order.

Sir Richard Temple.

The House was then commanded to attend his Majesty in the House of Peers, where the following Bills receiv'd the Royal Assent; *viz.* 1. *An Act for granting a Supply to his Majesty of six hundred nineteen thousand Pounds, &c. for Disbanding the Army, and other Uses therein-mention'd.* 2. *An Act for granting an Additional Duty to his Majesty upon Wines for three Years.* 3. *An Act to enable Creditors to recover their Debts of the Executors and Administrators of Executors in their own Wrong.* 4. *An Act for Burying in Woollen.* 5. *An Act for Admeasurement of Keels and Boats carrying Coals.* 6. *An Act for Reviving a former Act, entitled, An Act for avoiding unnecessary Suits and Delays, and for Continuance of another Act, entitled, An Act for the better settling Intestate Estates.* 7. *An Act for further Relief and Discharge of poor Prisoners for Debt.* 8. *An Act for Repealing certain Words in a Clause in a former Act, entitled, An Act for Enlarging and Repairing Common High-Ways.* 9. *An Act for Preservation of Fishing in the River Severn.* After which the Lord-Chancellor, by his Majesty's Command, acquainted the two Houses, 'That his Majesty had thought fit, in the present Juncture of Affairs, to prorogue them to the first of August next, and so to keep them in Call by short Prorogations; his Majesty not knowing how soon he might have need of their further Service and Assistance: But that his Majesty's Intention was, they should not meet till towards Winter, unless there were Occasion for their Assembling sooner, of which he would give them timely Notice by his Proclamation.' And accordingly the Parliament was prorogu'd till the first Day of August.

Several Bills pass'd.

October 21. The Parliament met, and his Majesty open'd the Session with a Speech to both Houses, as follows:

The eighteenth Session of the Second Parliament.

'My Lords and Gentlemen,

The King's Speech to both Houses.

I Have thought the Time very long since we parted last, and would not have deferred your Meeting by so many Prorogations, if I could well have met you sooner. The Part which I have had this Summer in the Preservation of our Neighbours, and the well-securing what was left of Flanders, is sufficiently known, and acknowledged by all that are abroad. And, tho' for this Cause I have been obliged to keep up my Troops, without which our Neighbours had absolutely despaired; yet both the Honour and Interest of the Nation have been so far improved by it, that I am confident no Man here would repine at it, or

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'think the Money raiſed for their diſbanding to have bee
'ill-employed in their Continuance; and I do aſſure yo
'I am ſo much more out of Purſe for that Service, that
'expect you ſhould ſupply it. How far it may be neceſſar
'conſidering the preſent State of Chriſtendom, to reduc
'the Land and Sea-Forces, or to what Degree, is worth
'of all our ſerious Conſiderations.

'I now intend to acquaint you (as I ſhall always do wi
'any Thing that concerns me) that I have been informe
'of a Deſign againſt my Perſon by the Jeſuits, of which
'ſhall forbear my Opinion, leſt I may ſeem to ſay too muc
'or too little: But, I will leave the Matter to the Law
'and in the mean time will take as much Care as I can
'to prevent all manner of Practices by that Sort of Men
'and of others too, who have been tampering in a hig
'degree by Foreigners, and contriving how to introduc
'Popery amongſt us. I ſhall conclude with recommendin
'to you my other Concerns. I have been under great Di
'appointments by the Defect of the Poll-Bill. My Revenu
'is under great Anticipations, and at beſt was never equa
'to the conſtant and neceſſary Expence of the Government
'whereof I intend to have the whole State laid before you
'and require you to look into it, and conſider of it wit
'that Duty and Affection which I am ſure I ſhall ever fin
'from you. The reſt I leave to the Lord-Chancellor.'

The Lord-Chancellor Finch's Speech.

Who, after a ſhort Preamble, proceeded thus. 'Th
Cloſe and Period of the laſt Seſſion is very memorable; fo
it may ſeem, perhaps, to ſome to have ended with very dif
ferent, if not contrary Councils and Supplies, tending bot
to War and Peace: But, yet, they who look more nearl
into the Matter, ſhall find that this Uncertainty proceede
not from any Unſteadineſs at Home, but from the Mutabilt
of Affairs abroad; every Week, almoſt, producing ſevera
and contrary Appearances. The ſame Uncertainties of Coun
cils and Events abroad continued for the moſt part o
Summer; one while the Parties, exhauſted by the War
ſeemed to be willing to accept any Peace their Enemie
would give; and there wanted not thoſe among them, wh
made uſe of the Impatience of their People to neceſſitat
them to it. Another while, the Performance of the Conditi
ons offered became ſo doubtful, and was at laſt explained i
a manner ſo vaſtly different from the firſt Propoſals, tha
Deſpair begot new Reſolutions of continuing the War. I
the midſt of theſe miſerable Perplexities and Confuſions, hi
Majeſty was daily ſolicited with the higheſt Importunities
and the moſt earneſt Supplications that were poſſible, not t
diſband the Troops he had raiſed; and not only ſo, but tha
he

he would ſtill continue to ſend over more and more of his Troops, and to augment the Forces which he had already abroad. They did as good as tell him plainly, That it was from the Reputation of his Alliance, that any Overtures of Peace had been made at all; and that it was from the Continuance of his Arms, that any farther Performance could be expected. They prayed his Majeſty to conſider, That if he thought it expedient to obtain ſome kind of reſpite or breathing-time for the Spaniſh Netherlands, or to ſecure any kind of Frontier or Barrier between them and their too powerful Neighbours; all this and more, very much more, perhaps no leſs than the Safety of Chriſtendom, would entirely depend upon his Majeſty's preſerving himſelf in that conſiderable Poſture both by Sea and Land, wherein he then was. There was no reſiſting ſuch repeated Interceſſions; and tho' his Majeſty ſaw well enough, that his complying with theſe Deſires would engage him in an expence far beyond what he was then provided for, yet he could not poſſibly decline the Charge, nor refuſe to undergo the Difficulties. And now whatever the Coſt of all this may amount to, yet neither his People will have any cauſe to repent it, when they ſhall conſider that it hath already produced ſuch great and good Effects to his Majeſty's Allies, and ſo much Honour to the whole Nation, that whatever is ſaved of Flanders, is now acknowledged by all the World, to be wholly due to his Majeſty's Interpoſition. And tho' the Peace, which ſince hath followed, be very far from ſuch a Peace as his Majeſty could have wiſhed, yet it is ſuch a Peace as his Neighbours were reſolved to have. No Obligations they lay under to inſiſt upon a better Peace, no Conjunction with his Majeſty, no nor the Offers to declare War on their behalfs, if they deſired it, could prevail with them, or keep them from being wrought upon by the Arts of thoſe, who firſt raiſed unreaſonable Jealouſies amongſt them, and then cauſed them to precipitate themſelves into a Peace. Thus you ſee at once, not only the Neceſſity which his Majeſty had to continue his Troops in Pay, but likewiſe the Benefits and Advantages which have come of it.'

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Then inſiſting upon the Neceſſity of a Supply, in the ſame manner that the King had in his Speech, he proceeded in theſe Words. 'Thus you have in ſhort an account of what had been doing abroad, and the Charge of it, 'tis now high time to look a little nearer home: And ſurely in that ſtate of things to which they are now reduced, 'tis viſible and plain enough what muſt be our buſineſs for the time to come. Firſt, we muſt look to ourſelves, and provide for our own Safety: For that which the Confederates acknowledge with Thanks, we may be ſure hath a quite different

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Reſentment in other Places. And in order to this, care mu be taken ſo to ſtrengthen ourſelves both at home and abroa that they who ſee us in a firm and well-ſettled Eſtate, ma have no hopes to ſurprize, nor any temptation to mak any attempt upon us. And herein it will be neceſſary t take notice of what his Majeſty hath recommended to yo and to weigh very well the Importance of reducing the Se and Land Forces, and the Conſequences which may atten ſuch a Reducement: For this be aſſured, that nothing i the world would more gratify our Enemies, than to ſee u afraid of maintaining ourſelves in a poſture of defenc which is the only poſture they are afraid to find us in. An that the Fears of Popery may not too much diſquiet you, b pleaſed to conſider that you have one Security more, ſinc that which was always the Intereſt of his Majeſty's Honou and Conſcience, is now become the Intereſt of his Perſo too, to protect the Proteſtant Religion, and to prevent th ſwarming of ſeminary Prieſts. For his Majeſty hath tol you, That he hath lately received Information of Deſign againſt his own Life by the Jeſuits. And tho' he doth in n ſort prejudge the Perſons accuſed, yet the ſtrict Enquiry int this matter hath been a means to diſcover ſo many othe unwarrantable Practices of theirs, that his Majeſty hath rea ſon to look to them. Nor are theſe Men the only Factor for Rome; but there are found amongſt the Laity alſo, ſom who have made themſelves Agitators to promote the Intere of a foreign Religion, who meddle with Matters of State an Parliament, [meaning *Coleman*] and carry on their pernicious Deſigns by a moſt dangerous Correſpondence with foreig Nations. What kind of Proceſs the Proof will bear, and t how high a degree the Extent and Nature of theſe Crime will riſe, is under conſideration, and will be fully left to th courſe of Law.

In the next place, let us carefully avoid all Difference amongſt ourſelves, all manner of clashing about Juriſdictions and all Diſputes of ſuch nature, as can never end in any Accommodation. For this is ſtill what our Enemies would wiſh, who would be glad to ſee us ruined, without thei being at the charge of it. And therefore we muſt now, a- bove all other times, labour to ſhew the World the moſt effectual Significations of our Loyalty and Duty that we are able to expreſs; for nothing in the World can more diſcourage our Enemies: As on the contrary, nothing does or can ſo ripen a Nation for Deſtruction, as to be obſerved to diſtruſt their own Government. Be pleaſed then now to take occaſion to manifeſt ſuch a Zeal for the Government, as to look into the State of that Revenue which ſhould ſup- port the conſtant and neceſſary Charge of it, and to ſee

that

that it be made equal to it. There are many Motives to oblige us to this Inſpection: Firſt, you ſee the King expects it; and then again you cannot but ſee, that nothing is or can be of a more public Conſideration, than to ſupport the Dignity of the Crown, which is in truth the Dignity of the Nation. Beſides, 'tis unſafe as well as diſhonourable, that the King's Revenue ſhould fall ſhort of his moſt neceſſary, and moſt unavoidable Expences. And if upon a due Examination it ſhall be made appear to you, that though there had been no diminution of the Cuſtoms, yet no Thrift or Conduct in the World could ever make the Revenue able to anſwer the certain Charge of the Government, much leſs to diſcharge thoſe Anticipations which lie heavy upon it; how can it be poſſible for it to ſupply thoſe Contingencies which happen even in times of Peace; and which can never be brought under any Regulation or Eſtabliſhment? You may be ſure a great and generous Prince would be glad, by good Managery, to have wherewithal to exerciſe his Royal Bounty, but our Neighbours have found a way to prevent that: For their vaſt Preparations put his Majeſty upon a vaſt expence, to preſerve himſelf and us.

My Lords and Gentlemen,

You now find the King involved in Difficulties as great, and, without your Aſſiſtance, as inſuperable, as ever any Government did labour under; and yet his Majeſty doth not think that there need many Words to beſpeak your Zeal and Induſtry in his Service: For the things themſelves now ſpeak, and ſpeak aloud.

The public and private Intereſt do both perſuade the ſame things, and are, and ought to be, mighty in Perſuaſion. If the Honour and Safety of your Country, and, which is next to that, the Concerns of your own Families and Poſterities, cannot awaken your utmoſt care to preſerve that Government which only can ſupport you and yours, all other Diſcourſes will be to no purpoſe. There can be no Difficulties at all to them who take delight in ſerving of the King and their Country, and love the occaſions of ſhewing it. Such as are here! But though the King hath had for many Years a large and full Experience of your Duty, yet there never was a time like this to try your Affections. There is ſo ſtrange a Concurrence of ill Accidents at this time, that 'tis not to be wondered at, if ſome very honeſt and good Men begin to have troubled and thoughtful Hearts. Yet that which is infinitely to be lamented, is, that malicious Men too begin to work upon this occaſion, and are in no ſmall hopes to raiſe a Storm that nothing ſhall be able to allay. If you can reſcue the King's Affairs from ſuch a Tempeſt as this; if you can weather this Storm, and ſteer the Veſſel into the Harbour; if you can find a way to quiet the Apprehenſions

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prehenſions of thoſe who mean well, without being carri away by the Paſſions of others who mean ill; if you c prevent the Deſigns of thoſe without doors, who ſtudy n thing elſe but how to diſtract your Councils, and to diſtu all your Proceedings; then you will have performed as gre and as ſeaſonable a piece of Service to the King, as ev yet he ſtood in need of. And when the World ſhall ſ that nothing hath been able to diſappoint the King of t Aſſiſtance he had reaſon to hope from this Seſſion; but th there is a right Underſtanding between the King and P Parliament, and that again ſtrengthened and encreaſed the Evidences of your Duty and Affection, and raiſed abo all poſſibility of being interrupted; then ſhall the Ki be poſſeſſed of that true Glory, which others vainly purſu the Glory of reigning in the Hearts of his People. Th ſhall the People be poſſeſſed of as much Felicity as th World is capable of: And you ſhall have the perpetu Honour and Satisfaction of having been the means to pr cure ſo much ſolid and laſting Good to your Country, the Eſtabliſhment of the Peace and Tranquility of this Kin dom, and conſequently of all his Majeſty's Dominions.

The firſt Reſolves of the Houſe were, that a Committ be appointed to conſider of Ways and Means for the Preſe vation of his Majeſty's Perſon: That an humble Addreſs preſented to his Majeſty, for removing Popiſh Recuſan from London; and that a Committee be appointed to e quire into Sir Edmundbury Godfrey's Murder; as likew into the Plot. The ſame day the Houſe agreed with t Lords in an Addreſs to his Majeſty, to appoint a ſolemn Fa which was to the following effect:

Addreſs of both Houſes for a ſolemn Faſt.

That Information had been given of a horrible Deſig againſt his ſacred Life, and being very ſenſible of the fa Conſequences of ſuch an Attempt, and of the Dangers the Subverſion of the Proteſtant Religion and Governme of this Realm, they humbly beſeech his Majeſty, that ſolemn Day of Faſting and Humiliation may be appointe to implore the Mercy and Protection of Almighty God his Majeſty's Royal Perſon, and in him to all his loyal Su jects; and to pray that God will bring to light, more a more, all ſecret Machinations againſt his Majeſty and t whole Kingdom. All which was accordingly done Proclamation, dated the 25th of October, requiring th Wedneſday the 13th of November ſhould be kept for general Faſt. On the 24th both Houſes again agreed another Addreſs, *viz.*

A ſecond Addreſs concerning Popiſh Recuſants.

'We, your Majeſty's moſt dutiful and loyal Subjects, t Lords Spiritual and Temporal, and Commons in Parliame aſſembled, having taken into our ſerious conſideration t

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bloody and traitorous Deſigns of Popiſh Recuſants, againſt your Majeſty's ſacred Perſon and Government, and the Proteſtant Religion, wherewith your Majeſty hath been graciouſly pleaſed to acquaint us: For the preventing whereof, we do moſt humbly beſeech your Majeſty, that your Majeſty would be graciouſly pleaſed, by your Royal Proclamation, to command all and every Perſon and Perſons being Popiſh Recuſants, or ſo reputed, forthwith, under Pain of your Majeſty's higheſt Diſpleaſure, and ſevere Execution of the Law againſt them, to depart and retire themſelves and their Families from your Royal Palaces of Whitehall, Somerſet-Houſe, St. James's, the Cities of London and Weſtminſter, and from all other Places within ten Miles of the ſame. And that no ſuch Perſon or Perſons, do, at any time hereafter, repair or return to your Majeſty's ſaid Palaces, or the ſaid Cities, or either of them; or within ten Miles of the ſame, other than Houſholders, being Tradeſmen exerciſing ſome Trade or manual Occupation, and ſetled for twelve Months laſt paſt in Houſes of their own, and not having an Habitation elſewhere, giving in their own Names, and the Names of all other Perſons in their Families to the two next Juſtices of the Peace: And that it may be inſerted in the ſaid Proclamation, that, immediately after the Day limited for their Departure, the Conſtables, Church-wardens, and other the Pariſh Officers, go from Houſe to Houſe in their ſeveral Pariſhes, Hamlets, Conſtableries and Diviſions, reſpectively; and there to take an Account of the Names and Surnames of all ſuch Perſons as are Popiſh Recuſants or ſuſpected ſo to be, as well Houſholders, as Lodgers and Servants; and to carry a Liſt of their Names to the two next Juſtices of the Peace, who are to be thereby required and enjoin'd to ſend for them, and every of them; and to tender to them and every of them the Oaths of Allegiance and Supremacy; and to commit to Priſon, till the next ſucceeding Seſſion of the Peace, all ſuch Perſons as ſhall refuſe the ſaid Oaths; and, at the ſaid Seſſion, to proceed againſt them according to Law: And that your Majeſty will be pleaſed to direct Commiſſions forthwith to be iſſued under the great Seal of England, to all Juſtices within the Cities of London and Weſtminſter, and within ten Miles of the ſame, to authorize and require them, or any two of them, to adminiſter the ſaid Oaths accordingly. And that your Majeſty would farther pleaſe to command that no Warrant or Licence granted by the Lords of your Majeſty's moſt honourable Privy-Council, or otherwiſe than at the Council-Board, to be ſign'd by ſix Lords of the Privy-Council, whereof the Lord Chancellor, the Lord Treaſurer or principal Secretary of State to be one, for the Stay, Return, or Repair of any

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ſuch Perſon or Perſons, in, or to any of the ſaid Places, t
ſome more effectual Law be paſs'd for preventing the ſai
Popiſh Conſpiracies, and for the Preſervation of your Ma
jeſty's ſacred Perſon, and the Religion and Government b
Law eſtabliſh'd; for which, we your Majeſty's moſt dutifu
and loyal Subjects, will always employ our utmoſt Ende
vours and daily Prayers. [*The ſame Day and the next, M
Oats, Mr. Michael Godfrey, and Mr. Mulys, having given in ce
tain Informations to the Houſe, (who on this Occaſion ſent f
Lord Chief Juſtice Scroggs from off the Bench to ſign certa
Warrants) concerning the Plot, and the Death of Sir Edmundbu
Godfrey, the following Clauſe was added to the Addreſs*
And whereas the Safety and Preſervation of your Majeſty
moſt ſacred Perſon, is of ſo great a Conſequence and Co
cernment to the Proteſtant Religion, and to all your Su
jects; we do farther moſt humbly beſeech your Majeſty
command the Lord Chamberlain and all other Officers
your Majeſty's Houſhold, to take a ſtrict Care that no u
known or ſuſpicious Perſons may have Acceſs near your M
jeſty's Perſon: And that your Majeſty will likewiſe pleaſe
command the Lord-Mayor, and the Lieutenancy of Lo
don, during the Seſſion of Parliament, and likewiſe, t
Lord-Lieutenants of Middleſex and Surrey, to appoint ſu
Guards of the Train'd-Bands in Middleſex, Weſtminſt
and Southwark, and other Places adjacent, as ſhall be thoug
neceſſary.

His Majeſty's Anſwer.

To which his Majeſty was pleas'd to reply to this pu
poſe: 'That you ſhall have the Effect of your Deſir
'and that he would give ſpeedy Orders for putting the ſa
'in Execution.'

The Houſe then proceeded to ſcrutinize farther into t
Murder of Sir Edmundbury Godfrey, as likewiſe into t
Particulars of the Popiſh Plot, and ordered their Speaker
wait upon his Majeſty, and communicate to him the Inform
tions the Houſe had receiv'd of the Dangers that his Ma
ſty and the Nation lay under. To which his Majeſty w
pleas'd to return: 'That he acknowledged the great Ca
'of the Houſe for the Preſervation of his Perſon and G
'vernment, &c.'

The Speaker order'd to communicate the Proceedings of the Houſe to the King.

The following Days, the Houſe was almoſt wholly e
ployed in examining Witneſſes, and Papers relating to t
Plot, in the unravelling of which, they teſtified a very e
traordinary Zeal; and October 28, to prevent Miſchiefs
the Interval, paſs'd the Bill to diſable Papiſts from ſitting
either Houſe of Parliament.

A Bill paſs'd to diſable Papiſts from ſitting in Parliament.

The likewiſe appointed a Committee to examine Mr. Co
man in Newgate, of which Mr. Sacheverel was Chairma
who reported on the 29th, that the Priſoner Coleman
ny'd any Deſign againſt either the King's Life or Auth
ri

Mr. Sacheverel's Report of Coleman's Examination.

rity, or that he ever knew or heard of any Commiſſions to raiſe an Army. That he likewiſe deny'd, that he ever deſign'd or endeavour'd to change the eſtabliſh'd Religion, or introduce Popery; but confeſſes, he did attempt to get this Parliament diſſolv'd, in order to procure Liberty of Conſcience, which he thought they would never grant. In order to which, he ſollicited 300,000 *l.* from France; adding, that there were not three Men in England acquainted with his Deſigns, or Correſpondence; of which the Duke of York was one, who, he believes, communicated them to Lord Arundel of Wardour. Anno 30 Car. II. 1678.

That he farther confeſs'd, that his firſt Correſpondence in France, was by certain Letters he had addreſs'd to * Sir William Throckmorton; by which means he commenc'd a ſecond with || La Ferrier, on whoſe Death, he ſent three or four Letters to La Chaiſe. That he had alſo confeſs'd a Correſpondence with the Pope's Nuncio at Bruſſels, which was occaſion'd by a Propoſal from the Pope, to furniſh the King with a great Sum of Money, provided the Catholics here might receive proportionable Favour.

That upon this, he was diſpatch'd by the Duke of York to Bruſſels to the ſaid Nuncio, for a farther Explanation of that Propoſal: Who then diſown'd that he had any Authority from the Court of Rome to make it; but that he had made it as a private Man? Offering however, his Services at his Return to bring it about: that notwithſtanding, he had not correſponded with him for three or four Years.

That the Cypher, with the Provincial's Mark, was that uſed between him and ‡ Father St. Germain: that he uſed no Cypher to the Provincial: That he uſed another Cypher to † Rouvigny's Secretary, but not in public Concerns.

And being then ask'd, whether he knew of any other Sum propos'd or treated on, he anſwer'd: That he believed there was, to keep the King from joining the Confederates, but could not affirm that any had been paid.

October 31. A Committee was appointed to enquire into the Delays of iſſuing forth the Writs, and ſending them down for the electing of new Members: it having appear'd by the Clerk of the Crown, that, inſtead of returning the Writs after they were ſealed, according to the Order of the Houſe, the Lord Chancellor had undertook for their Delivery himſelf.

The ſame Day, Mr. Robert Wright, a Member, was accuſed by the Speaker, of having correſponded with Coleman: Mr. Robert Wright a Member examined and acquitted.

* *Converted by Coleman to the Roman Catholic Faith.* || *Succeſſively Confeſſors to the French King.* ‡ *A Jeſuit.* † *The French Embaſſador in England.*

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man; on which, he was examined by the House, and his Papers search'd; but acquitted with Honour.

Mr. Coleman's Letters were then read; of which * three were enter'd in the Journals by Order of the House, viz. one from Mr. Coleman to Father le Chaise, a second to the same, and a third from le Chaise, acknowledging the Receipt of the two former.

Upon the Evidence already arisen with regard to the Plot the House came to a Resolution, and appointed a Committee to prepare Matters for a Conference with the Lords upon it; who the next Day, Nov. 1. by Sir Robert Sawyer their Chairman, delivered in their Report as follows:

Sir Robert Sawyer's Report from the Committee appointed to draw up Reasons for a Conference with the Lords.

'That the House of Commons, after Examination of several Persons Papers, many of which his Majesty did acquaint the House had been communicated to your Lordships and deliberate Consideration had thereupon, came to this unanimous Resolution:

Resolution of the House with regard to the Plot.

Resolved, nem. con. 'That, upon the Evidence, that has already appear'd to the House, that this House is of Opinion that there hath been and still is a damnable and hellish Plot contriv'd, and carry'd on by Popish Recusants, for the assassinating and murdering the King, and for subverting the Government, and rooting out and destroying the Protestant Religion;

The House of Commons, being very sensible of the imminent Danger both the King and Kingdom are in, do think it their Duty to acquaint your Lordships therewith, and do pray your Lordships will be pleased to take it into your serious Consideration, what Remedies are fit and suitable to be apply'd for the preserving the King's Person and Government; to which the Commons shall readily concur, and they doubt not of your Lordships Concurrence to such Remedies as have, or shall be by them proposed to your Lordships for effecting this great End.'

Sir Thomas Meers's Report of the Conference.

These Reasons being agreed to by the House, a Conference was immediately desired and obtained; an Account of which was, in the Afternoon of the same Day, delivered to the House from the Committee, by Sir Thomas Meers, viz.

That my Lord Chancellor manag'd the Conference, and that what was deliver'd, was as follows:

'The Lords have consider'd the Votes of the House of Commons, communicated to them at the Conference, and have most readily and unanimously concurr'd with them in it, *nem. con.* And their Lordships are very glad to see that Zeal which the Commons have shew'd upon this Occasion, and do fully concur with them; that the most speedy

* *For the Letters themselves, see State-Tracts relating to the Reign of Charles* II.

and ſerious Conſideration of both Houſes, is neceſſary for preventing theſe imminent Dangers. In order whereunto, their Lordſhips have reſolved to ſit *de Die in Diem*, Forenoon and Afternoon, and deſire the Houſe of Commons would do ſo too. And when their Lordſhips ſhall have well conſider'd of it, and proper Remedies for theſe Dangers, they will be ready to communicate them to the Houſe of Commons, and will alſo take in good Part, whatever ſhall be communicated to them by the Houſe of Commons; and will ſuffer nothing to be wanting on their Parts, which may preſerve a good Correſpondence between both Houſes, which is abſolutely neceſſary to the Safety of the King and Kingdom.

Nov. 2. It was ordered by the Houſe, that Mr. Speaker do addreſs his Majeſty from the Houſe, that Mr. Coleman may be pardoned on a full Diſcovery, and that otherwiſe, neither Pardon nor Reprieve might be granted him; to both which Requeſts, his Majeſty was pleaſed the ſame Day to accord. It was likewiſe ordered, that Mr. Speaker ſhould ſignify what had paſs'd to Mr. Coleman in Newgate, who reply'd: 'That he was very ſenſible of the miſerableneſs of his Condition; for that he knew there was enough already known to take away his Life, and that he did not know enough to ſave it.' The ſame Day, the firſt Debate aroſe on an Addreſs for the removing his Royal Highneſs from his Majeſty's Perſon and Councils.

On the 7th, Sir Henry Capel reported from the Committee, appointed to examine Mr. Coleman in Newgate, That the ſaid Coleman received of Mr. Rouvigny 300 *l.* and of * Mr. Courtin, 360 *l.* for Intelligence of every Day's Debates in Parliament, and for keeping a good Table.

Sir Henry Capel's Report of Mr. Coleman's farther Examination in Newgate.

That he received laſt Seſſion of Mr. * Barrillon 2500 *l.* to be diſtributed among Members of Parliament, which he had converted to his own Uſe: That Mr. Barrillon had, on the Occaſion, pointed at ſeveral Members; and that he had told Mr. Barrillon, he had comply'd with his Inſtructions.

That, at the End of the laſt Seſſion, he received of Mr. Barrillon 260 *l.* more for Parliament Intelligence.

That Mr. Rouvigny, believing the Parliament was inflam'd by the Confederates againſt France, did therefore encourage him to purſue a Correſpondence with Members: To render which more effectual, he did treat with St. Germain, about a Sum of Crowns to be diſpos'd of among them.

That none of that Money was receiv'd: That he enter'd no foreign Letters in his Books, after his Correſpondence with Le Chaiſe ceas'd: That he was to receive 10,000 *l.* on procuring a Security for the Banker's Debt, which was after-

* *Embaſſadors of France here, after Rouvigny.*

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afterwards reduc'd to 7000 *l.* in Silver, and 5000 Guinea of which he receiv'd but the Moiety of the Silver only.

And that this Contract made between himself and S Robert Viner, Alderman Bakewell, and Mr. Whitehal was Verbal only.

Sign'd Edward Coleman.

An Addreſs propos'd, to beſeech his Majeſty, to order Coleman's Letters to be printed.

The ſame Day the Houſe agreed to an Addreſs, and o der'd it to be carry'd up to the Lords for their Concurrence That, whereas a moſt wicked Deſign had been carry'd o for ſeveral Years paſt, for the utter Extirpation of the Pro teſtant Religion and the Eſtabliſh'd Government; and tha it was neceſſary to proceed againſt the Perſons concern'd i it, with unuſual Severity: The Houſe did humbly conceiv that the beſt way to ſatisfy the Minds of the People, an ſtop the Mouths of the Papiſts, would be to publiſh ſom undeniable Evidences of their Tranſactions here, and Co reſpondencies abroad; and therefore, humbly deſir'd that h Majeſty would order Coleman's Letters to Father Le Chai to be printed, till a further Narrative of the Particula relating to the horrid Conſpiracy may be publicly ſet forth.

A ſecond Addreſs for a Proclamation concerning certain Perſons fled from Juſtice, and for diſarming popiſh Recuſants, &c.

Upon the 8th, Another Addreſs was likewiſe read, an ordered to the Lords for their Concurrence; humbly be ſeeching, That his Majeſty would iſſue out his Royal Pro elamation, prefixing a Day for certain * Perſons, charg with being in the Conſpiracy, who had ſince fled fro Juſtice, to render themſelves in order to take their Trial commanding all Lieutenants, Deputy-Lieutenants, Juſtic of the Peace, Sheriffs, Conſtables, &c. to endeavour to a prehend them.

And that it be inſerted in the ſaid Proclamation, That a Conſtables, Church-wardens, Headboroughs, &c. do make o a preſent Liſt of all Popiſh Recuſants, or reputed to be ſo, well Houſe-keepers, as Lodgers, in their reſpective Pariſhe and lay the ſame before one of his Majeſty's Juſtices the Peace near adjoining: Who ſhall ſend for the ſaid Pe ſons, and offer them the Oaths of Allegiance and Supr macy, and in caſe of a Refuſal, to enter into Recognisanc to appear at the next Seſſion; or in Default of entring in ſuch Recognizance, to commit them to the Common-Goa till the next Quarter-Seſſion; when all ſuch Perſons ſo r tuſing, ſhall be proceeded againſt according to Law. Th ſpecial Commiſſions be forthwith iſſued under his Majeſty Great-Seal of England, authorizing the reſpective Juſtic of the Peace to adminiſter the ſaid Oaths. That all Lieu tenants, Deputy-Lieutenants, and Juſtices of the Peace, d proceed without Delay, to the diſarming all ſuch as refu

* *Conyers, Symonds, Cattaway, Walſh, Lafeur and Prittchard.*

to take the Oaths. That a Reward be given to ſuch as ſhall diſcover where their Arms are conceal'd, or ſhall apprehend and bring before any Juſtice of Peace, any of the ſaid Offenders. That all his Majeſty's Officers of the Sea-Ports may be enjoin'd to take ſpecial Care for the apprehending all Popiſh Prieſts, &c. coming in or going out of the Kingdom, to whom the Oaths ſhall be tender'd; the which, if they ſhall refuſe, the ſaid Popiſh Prieſts ſhall be committed; and Notice thereof ſhall be ſent to his Majeſty's Privy-Council, that ſuch farther Courſe may be taken for the Safety of his Majeſty and his Government; as, in his Majeſty's great Wiſdom, ſhall be thought fit.

A Third voted for a Form of Prayer relating to the Plot.

The ſame Day, the Houſe farther reſolv'd, That an humble Addreſs be preſented to his Majeſty, That there may be a particular Prayer, or Prayers compos'd for the Cities of London and Weſtminſter relating to the Plot.

Mr. Secretary Coventry.

The 9th, Mr. Secretary Coventry inform'd the Houſe, That his Majeſty had been made acquainted that there is an Addreſs depending before the Houſe of Lords to be preſented to his Majeſty, for the Printing of Mr. Coleman's Letters. That theſe Letters have not as yet been read in the Houſe of Lords, and that it was his Majeſty's Pleaſure (if this Houſe has done with the Letters) that the ſame ſhould be return'd, to the end they may be communicated to the Lords. With which the Houſe having comply'd, his Majeſty order'd their Attendance in the Houſe of Peers; where he expreſs'd himſelf as follows:

The King's Speech to both Houſes.

'My Lords and Gentlemen,

'I Am ſo very ſenſible of the great and extraordinary Care 'you have already taken, and ſtill continue to ſhew for 'the Safety and Preſervation of my Perſon in theſe Times 'of Danger, that I could not ſatisfy myſelf without coming 'hither on purpoſe to give you all my moſt hearty Thanks 'for it. Nor do I think it enough to give you my Thanks 'only, but I hold myſelf obliged to let you ſee withal, That 'I do as much ſtudy your Preſervation too as I can poſſibly; 'and that I am as ready to join with you in all the Ways 'and Means that may eſtabliſh a firm Security of the Proteſtant Religion, as your own Hearts can wiſh: And this 'not only during my Time, of which I am ſure you have 'no fear, but in future Ages, even to the End of the World. 'And therefore I am come to aſſure you, that whatſoever 'Bills you ſhall preſent, to be paſſed into Laws, to make 'you ſafe in the Reign of my Succeſſor, (ſo they tend not 'to impeach the Right of Succeſſion, nor the Deſcent of 'the Crown in the true Line; and ſo as they reſtrain not 'my Power, nor the juſt Rights of any Proteſtant Succeſſor,)

'ſhall

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'shall find from me a ready Concurrence. And I desire
'you withal, to think of some more effectual Means for the
'Conviction of popish Recusants, and to expedite your
'Councils as fast as you can, that the World may see our
'Unanimity; and that I may have an Opportunity of shew-
'ing you how ready I am to do any thing, that may give
'Comfort and Satisfaction to such dutiful and loyal Subjects.'

In the Afternoon, the House of Commons went to the Banqueting-House at Whitehall, and, by their Speaker, returned his Majesty their humble and hearty Thanks, for his most gracious Speech this Day made to both Houses of Parliament. To which his Majesty was pleased to give this Answer:

'Gentlemen, It shall always be my study to preserve the
'Protestant Religion, and to advance and support the In-
'terest of my People.'

The same Day Mr. Secretary Williamson acquainted the House, That his Majesty had comply'd with their Request for a particular Prayer for the Cities of London and Westminster, relating to the Plot.

The 10th, being Sunday, The House Resolv'd, that another Address be presented to his Majesty, relating to the said Prayer, there being no mention made in it, of the Papists who are the Contrivers of this damnable and hellish Plot, and humbly to desire his Majesty to give effectual Orders that his Commons be obey'd.

The 11th, A Complaint having been made the 9th before, That the Commissions for taking the Oaths of Allegiance and Supremacy are not issued forth, pursuant to his Majesty's Proclamation: And a Committee having been appointed to draw up Reasons to be offer'd at a Conference with the Lords thereon, Mr. Powle deliver'd in the Report of the said Committee, as follows.

Mr. Powle's Report touching the Neglect in issuing out Commissions for Administering the Oaths of Allegiance and Supremacy.

Upon the Examination of the Clerk of the Crown, touching the Neglect in issuing out Commissions to the Justices of the Peace, pursuant to his Majesty's Royal Proclamation and the Address of both Houses for Administering the Oath of Allegiance and Supremacy to Popish Recusants, and Persons suspected so to be; and the Clerk of the Crown having inform'd the House of Commons, that a Draught of such Commissions was prepar'd by the Attorney-General, and engross'd by the said Clerk of the Crown, and by him tender'd last Thursday Morning to be seal'd by the Lord-Chancellor: And that, nevertheless, the said Commissions, neither then nor at any Time since, to the Time of his Examination on Saturday the 9th, at 5 o' Clock in the Afternoon, were, or have been seal'd. And the House of Commons being very sensible

ſenſible of the great Danger that may enſue to his Majeſty and theſe Kingdoms by ſuch Delay, and his Lordſhip being a Member of your Houſe, thought fit to repreſent it to your Lordſhips; deſiring that your Lordſhips will ſpeedily enquire into the Reaſon of this great Neglect and Contempt of his Majeſty's ſaid Proclamation, and do therein, as to Juſtice ſhall appertain.

A Conference being then demanded by the Commons, and granted by the Lords, Mr. Powle, at his Return deliver'd the Subſtance of it in the following Words:

His Report of a Conference with the Lords thereupon.

We have attended the Lords at the Conference, which was manag'd by the Lord-Chancellor. He deliver'd all by word of Mouth, without the help of any Paper; and therefore I muſt crave pardon, if what I report be not exactly according to his Words, tho' I hope I ſhall not omit any material Paſſage.

He began with telling us that the Lords were very well pleaſed with the Repreſentation made to them by the Commons, about the Neglect in iſſuing out the Commiſſions for taking the Oaths of Allegiance and Supremacy. That it was a Zeal well-becoming the Houſe of Commons, not to ſuffer it to be defeated by any Perſon whatever.

That there was no time yet loſt in this Buſineſs; for, had the Commiſſions been ſeal'd, it would have been hard to find out the Perſons to whom the Oaths were to be applied; and that the Conſtables were ſtill employ'd about that Work, and had not yet made their Returns.

That, nevertheleſs, the Lords thought it not enough to ſhew the Commons that there was no Negligence; but, that, on the contrary, all Diligence had been uſed in the expediting theſe Commiſſions: And that, therefore, their Lordſhips had commanded him to acquaint us with the whole Progreſs of thoſe Commiſſions.

That it was true the Commiſſions had been drawn and perus'd by the Attorney-General, and brought to the Seals and not ſealed, as the Clerk of the Crown had informed us; but that it was great pity that the Clerk of the Crown was not then in Court, that he might have acquainted us with the whole truth of what paſs'd at that time, as well as with that part of the truth he had acquainted us withal.

That it had been debated in the Houſe of Peers the day before, what Regulations and Limits ſhould be inſerted in the Commiſſions; for that their Lordſhips conceiv'd it hard, that Perſons aged, infirm, and not able to go out of town with ſafety of their Lives, ſhould not be excepted from taking the Oaths; and this they thought was a Severity beyond the Intention of the Commons.

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Their Lordſhips likewiſe obſerv'd, that there was a pru dential Power reſerv'd in ſix Privy Counſellors, whereof th Lord-Chancellor, Lord Treaſurer or Principal Secretary o State to be one, to grant Licences. And they thought i reaſonable, that the Perſons ſo licens'd ſhould be excepted elſe, the Hardſhip would be greater on thoſe that ſtaid tha thoſe that went.

Their Lordſhips likewiſe thought that the Peers of th Realm, who are excepted by Law from taking the Oaths o Supremacy, were fit to be excepted out of this Commiſſion As alſo, that foreign Merchants and Aliens, being no Sub jects, were not within the Law, and could not be though dangerous; becauſe they were ſuch as did frequent the Ex change, and of whom my Lord-Mayor might have an ac count, and deliver a Liſt of them to the Council-Table.

That the Lords thought it fit that theſe Exceptions ſhoul be inſerted into the ſaid Commiſſions, that the Juſtices of th Peace might ſee whom not to trouble; and thereupon the Lordſhips gave him directions to make ſuch Exception that the Attorney-General, ſitting in Court when the Com miſſions were brought the next day to be ſeal'd, advis'd th Officer who had the Seal to hold his hand: Whereupo the Officer ſtepping to him, asked him, what he ſhould do And he told him they muſt be alter'd.

That this Morning he had acquainted the Lords wh juſt cauſes he had to complain of the great Difficulty th lay upon him, either by not obeying their Lordſhips, o diſobeying the whole Kingdom.

That he had brought before them Commiſſions for ſi Counties, which comprehended all within ten Miles of Lon don, to which the Proclamation did extend: And he pro duc'd before them two Forms of Commiſſions, one a genera Form extending to all, the other a particular Form with a the aforeſaid Exceptions; deſiring their Reſolutions in whic of the ſaid Forms their Lordſhips would have the ſaid Com miſſions paſſed.

That the Lords, tho' they thought the Exceptions mo reaſonable, yet their Lordſhips conſider'd that becauſe tho Commiſſions had iſſued upon an Addreſs of both Houſe and that, therefore, to make Explanations by themſelve which had not been communicated to the Commons, migh not agree with the good Correſpondence which their Lord ſhips ſhould always endeavour to maintain between bot Houſes; their Lordſhips gave him Directions to paſs th Commiſſions in the general Form, let the Hardſhip ligh where it would, and gave him leave to withdraw preſentl to ſeal the Commiſſions; which accordingly were a ſealed.

H

He concluded with saying, 'And now, Gentlemen, you have your full satisfaction.'

The Business of this Day ended with a Resolution, that a Message should be sent to the Lords to remind them of the Bill for the disabling Papists from sitting in either House of Parliament.

The 12th, the House resolved, 'That, there being an Accusation of High-Treason against Sir William Godolphin, his Majesty's Ambassador in Spain, an humble Address be presented to his Majesty, to desire him to call home Sir William Godolphin, to answer the Accusation.' To which his Majesty was pleased to answer, 'That he had already 'ordered his Letters of Revocation; and that he had a 'Person in his eye, who he designed should succeed him in 'that Service.' And on the same day the Commons presented another Address to his Majesty, praying, That a special Commission may be issued forth, for tendring the Oaths of Allegiance and Supremacy to all the Servants of his Majesty and Royal Highness; and to all other Persons (except his Majesty's Portugal Servants) residing within the Palaces of Whitehall, St. James's and Somerset-house, and all other his Majesty's Houses; and that there may be likewise special Commissions issued forth, for tendering the said Oaths to all Persons residing within the two Serjeants Inns, all the Inns of Court, and Inns of Chancery.' To which his Majesty return'd an Answer in Writing two days after:

An Address for tendering the Oaths of Allegiance and Supremacy to his Majesty's Servants.

'That as to all his Majesty's own Servants, all the Ser-'vants of his Royal Highness, all other Persons residing in 'Whitehall, St. James's, Somerset-house, or any other of 'his Majesty's Houses, except the menial Servants of the 'Queen and Dutchess; as also all Persons within either of 'the Serjeants Inns, or any of the Inns of Court, or Chan-'cery, his Majesty grants it. But as to the Queen's menial 'Servants, who are so very inconsiderable in their number, 'and within the Articles of Marriage, his Majesty does not 'think it fit. And his Majesty cannot but take notice, that 'in a late Address from the House of Peers, the menial Ser-'vants of the Queen and Dutchess are excepted; and his 'Majesty hopes that this House will proceed with the same 'Moderation as to that particular.'

The King's Answer.

This Answer not being thought satisfactory, on the 15th the House proceeded to another Address, in which they humbly advise his Majesty, and renew their Desires, that the Persons excepted in his Majesty's Message may be comprehended in the same Commission; for which they do, in all Duty, lay before his Majesty the Reasons following.

Another Address to the same effect.

1. For the quieting of the Minds of your Majesty's good Protestant Subjects, who have more than ordinary care and

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ſolicitude for the Safety of your Majeſty's Perſon, by rea ſon of the notorious Conſpiracy of the Popiſh Party at thi time, even againſt the Life of your ſacred Majeſty.

2. By your Majeſty's Proclamation, ſet forth upon th Addreſs of both Houſes, for baniſhing Popiſh Recuſants te Miles from London, there is no ſuch reſtriction.

3. The Diſcouragement it would be to this Kingdom, t ſee ſo great a neglect; and the occaſions that Papiſts woul take to ſay from thence, that all our Fears were ground leſs.

4. It is too great a countenance to the dangerous Faction which are already come to that height, that it renders a manner of Diſcouragement on that ſide neceſſary.

5. It is againſt the Laws and Statutes of the Realm which, as they are preſerved and maintained by your Ma jeſty's Authority, ſo we aſſure ourſelves, you will not ſuffe them to be thus violated by your Family and Royal Preſence upon the account of Popiſh Recuſants.

Secretary Williamſon ſent to the Tower.

On the 18th, the Commons being informed, that ther were ſeveral Commiſſions to Popiſh Recuſants, and Warrant alſo that they ſhould be muſtered, notwithſtanding they ha not taken the Oaths,, and ſubſcribed the Declaration, accor ding to the Act of Parliament, and that they were counter ſigned by Sir Joſeph Williamſon, Secretary of State: Th Notice of this raiſed ſuch a Heat in the Houſe, that the immediately ſent Sir Joſeph, as a Member of their Houſe to the Tower. This much offended the King, who the nex Day ſent for the Houſe of Commons to attend him in th Banquetting-Houſe in Whitehall, where, in a Speech to ther he told them plainly, 'That tho' they had committed hi 'Servant without acquainting him; yet he intended to dea 'more freely with them, and acquaint them with his In 'tentions, to releaſe his Secretary:' which accordingly h did that very day.

The King releaſes him.

Upon which immediately, the ſame day, the Common drew up an Addreſs to his Majeſty, to preſent to him thoſe Reaſons of their Proceedings, in the Commitment of Sir Joſeph Williamſon, as a Member of their Houſe, *viz.*

An Addreſs to the King that he might not be diſcharged.

'1. That divers Commiſſions were granted to Popiſh Offi cers, and counter-ſigned by the ſaid Sir Joſeph Williamſon and delivered out in October laſt, ſince the Meeting of thi Houſe, and the Diſcovery of the preſent Popiſh Conſpiracy 2. Divers Warrants have alſo been produced before us, o Diſpenſations, contrary to Law, for Popiſh Officers to con tinue in their Commands, and to be paſſed in Muſter, not withſtanding they have not taken the Oaths of Allegianc and Supremacy, and received the bleſſed Sacrament of th Lord's Supper, according to the Act of Parliament in thi behalf

behalf: All which ſaid Warrants were likewiſe counter-ſigned by the ſaid Sir Joſeph Williamſon; which being complained of to us, and confeſſed by the ſaid Sir Joſeph Williamſon, we your Majeſty's moſt dutiful Subjects, having the immediate Conſideration before us, of the imminent Danger of your Majeſty's Perſon, the Safety whereof is above all things moſt dear, and likewiſe the Dangers from Popiſh Plots, ſo nearly threatning the Peace and Safety of your Majeſty's Government, and the Proteſtant Religion, were humbly of opinion, we could not diſcharge our Duty to your Majeſty and the whole Kingdom, without the committing the ſaid Sir Joſeph Williamſon; and therefore moſt humbly deſire, That he may not be diſcharged by your Majeſty. And we do farther moſt humbly deſire your Majeſty, to recal all Commiſſions granted to all Papiſts within the Kingdom of England and Ireland, or any other of your Majeſty's Dominions and Territories.'

The Bill for diſabling Papiſts, &c. ſent back from the Lords with Amendments.

The 21ſt, the Lords ſent back the Bill for diſabling Papiſts from ſitting in either Houſe, with three Amendments, and a Proviſo; which being read, the firſt Amendment was agreed to, but the ſecond and third, relating to the Servants of the Queen and Dutcheſs of York, were rejected. On the Proviſo the Houſe divided, and it was carried in the Affirmative, Noes 150, Yeas 156. After which the Houſe appointed a Committee to draw up Reaſons to be offer'd at a Conference with the Lords, on the 2d and 3d Amendments. The ſame day a Fray happening in the Houſe between Sir Jonathan Trelawney and Mr. Aſh; the Queſtion was put, whether Sir Jonathan ſhould be expell'd? On which the Houſe again divided, and it paſs'd in the Negative, Yeas 110, Noes 130. It was then reſolv'd, that he ſhould be ſent to the Tower, there to remain during the Seſſion of Parliament; and Mr. Aſh was reprimanded in his Place by the Speaker; and both were enjoin'd to proſecute their Quarrel no farther.

Mr. Powle. An Addreſs propos'd for raiſing the Militia.

The 22d Mr. Powle deliver'd in the Addreſs prepared by the Committee appointed for that purpoſe, moſt humbly to deſire his Majeſty that he would command all the Train'd Bands to be in readineſs, and that one third Part might do Duty for fourteen Days; and after they are diſmiſs'd, the two others: And to require them to be very vigilant in the ſeizing all ſuſpicious Perſons, eſpecially ſuch as travel with Arms, or at unſeaſonable times, or in unuſual Numbers. And likewiſe to command the Sheriffs to be ready with their Poſſe, in caſe of Inſurrections, &c.

Sent to the Lords for their Concurrence.

It was then reſolv'd, that it ſhould be ſent to the Lords for their Concurrence.

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The 23d, Mr. Powle, reported from the Conference wit the Lords, on the ſaid Addreſs, That the Lord Privy Se manag'd the Conference, and that he acquainted them, tha the Lords, upon the Peruſal of the Addreſs, appointed Committee to conſider of the Laws relating to the Militi who reported, that upon the Inſpection of the Statutes the found, that, without farther Authority, the Militia cannot b kept up above 12 Days in one Year; and thereof four Day to be for general Muſters, and two, and two, and two, an two, *viz.* eight Days, for particular Muſters. And that of the 12 Days in many Counties, the Lieutenants have alread muſter'd their Men ſome of theſe Days this preſent Yea Not but that by his Majeſty's Direction, (as appears by th Statute) they may be kept up longer. But their Lordſhi do not find that there is any power to raiſe Money to pa them.

Mr. Powle's Report of the ſaid Conference.

Mr. Secretary Coventry.

Mr. Secretary Coventry then deliver'd his Majeſty's An ſwer to the Addreſs relating to the Commitment of Mr. Se cretary Williamſon, which was as follows:

'That he releaſed Mr. Secretary Williamſon before you 'Addreſs came, as he told you in the Banquetting-Houſe h 'would do. As to the Returns of granting thoſe Commi 'ſions, his Majeſty acquainted you at large with them, i 'his Speech, when you laſt attended him. But in anſwe 'to your preſent Addreſs, his Majeſty promiſes to recal a 'his Commiſſions whatſoever, given to Papiſts or repute 'Papiſts, either in England or Ireland, immediately; an 'for his remoter Dominions, they ſhall likewiſe be recalle 'with all the Expedition the Safety of thoſe Places wi 'permit.'

Sir Edward Deering.

Sir Edward Deering then deliver'd in the Reaſons to b offer'd to the Lords in a Conference, for rejecting their A mendments to the Bill for diſabling Papiſts from ſitting i either Houſe, which were to this effect:

Reaſons to be offer'd to the Lords at a Conference on their Amendments above-mentioned.

That both Houſes having voted that the King's Perſo was in danger from the Popiſh Conſpiracy, it would n only be moſt dangerous to his Majeſty's Perſon, but incon ſiſtent with ſuch Votes, to admit Popiſh Recuſants either reſide in the Palace or approach his Perſon.

That all Popiſh Recuſants being by Proclamation at th inſtance of both Houſes required to remove 10 Miles fro London, we cannot think it adviſable that any ſhould b harboured in his Majeſty's Houſe, where the danger w more imminent than any where elſe.

That the Deſign of this Act being for a farther Securi of all Popiſh Recuſants, the Commons cannot think it re ſonable to allow any of them liberty, contrary to the La already in being; and if ſuch a Number of the Queen's Se

vant

vants, and her Royal Highneſs's are in general Terms excepted out of the Act, it will follow, that if any Peer, or Member of this Houſe be ſo nominated by them, he will thereby be capable of ſitting in Parliament without taking the Teſts.

It was then reſolved, that a Conference with the Lords ſhould be required; which being agreed to, and the Managers return'd, Sir Edward Deering gave in his Report as follows:

Sir Edward Deering's Report thereupon.

'That the Conference was manag'd by the Lord Chancellor, who acquainted them, that the Lords had conſider'd of the Reaſons offer'd at the laſt Conference; and that they carry'd great Weight with them: And that the Lords did propoſe an Expedient, which was for ſtriking the Queen wholly out of the Bill; and ſo have her Servants liable to the Law, in general; in which they hoped this Houſe would concur. But if this Houſe ſhould not think fit to concur with this Expedient, that then their Lordſhips would take the Amendments and Reaſons into farther Conſideration. That my Lord Privy-Seal told them, that there were Precedents in the Caſe, but did not name any.'

The Houſe then reſolv'd not to agree to the ſaid Expedients, and that the Perſons employ'd in the former Conference, ſhould prepare Reaſons to be offered at another.

On the 25th, having repair'd to the Houſe of Peers, the King commanded the Houſe to attend him there, on which Occaſion he deliver'd the following Speech from the Throne.

The King's third Speech to both Houſes.

'My Lords and Gentlemen,

'I Told you in the Beginning of this Seſſion, how much I had been obliged to keep up my Forces in Flanders: That without it our Neighbours had abſolutely deſpaired, and by this Means, whatever has been ſaved of Flanders, is acknowledged to be wholly due to my Interpoſition: And I ſhewed you withal, that I had been forced to employ that Money which had been raiſed for the diſbanding thoſe Troops, in the continuance of them together; and not only ſo, but that I had been much more out of Purſe for that Service; a Service by which the Honour and Intereſt of the Nation have been ſo much improved, that as I am confident no Man would repine at it, ſo I did not doubt but you would all be willing to ſupply it. I have now undergone this Expence ſo long, that I find it abſolutely impoſſible to ſupport the Charge any longer; and did therefore think of putting an end to that Charge, by recalling my Troops with all poſſible ſpeed, who are already expoſed to the utmoſt Want and Miſery, being without any Proſpect of farther Pay or Subſiſtence. But whilſt I

was

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'was about to do this; I have been importuned by the Sp
'nish Miniſters to continue them a little longer, until th
'Ratifications of the Peace be exchanged; without whic
'all that hath been hitherto ſaved in Flanders, will inevit
'bly fall into the Hands of their Enemies. And now, be
'tween this Importunity to keep up thoſe Troops, and m
'own Inability to pay them any longer, I find myſelf
'great Difficulties what to reſolve. If you do not thin
'that the public Safety may require the Continuance,
'do wiſh as heartily as any Man, that for the public Eaſ
'they may be ſpeedily disbanded, and paid off. I hav
'thought fit thus to lay the Matter before you; and havin
'acquitted myſelf to all the World, by asking your A
'vice and Aſſiſtance, I deſire it may be ſpeedy, and witho
'any manner of Delay.'

Sir Edward Deering's Report concerning the Lord's Expedient.

The ſame Day, Sir Edward Deering reported the Re
ſons to be offer'd againſt the Lords Expedient, which, wi
ſome Amendments made at the Table, were to the followin
Purpoſe:

'That it is contrary to the Cuſtom of Parliament,
ſtrike out any thing in a Bill, which has been fully agree
and paſs'd in both Houſes.

'That in the Amendment propos'd to the Bill by yo
Lordſhips, to which the Commons have diſagreed, the Nu
ber of the Queen's Servants to be excepted out of the A
was limited: But by leaving the Queen's Name out of t
Bill, ſhe may have them without Number: which aggr
vates the Miſchief, and conſequently hath not the Natu
of an Expedient.

'That one Bill for preventing Dangers from Popiſh R
cuſants, has already been found ineffectual, by reaſon the
was no expreſs Mention of the Queen's Servants.

'That the Scope of the Bill not only relates to the mo
ing Papiſts out of both Houſes of Parliament, but alſo fro
the Court, as appears both from the Preamble and Body
the Bill; and the Dangers his Majeſty is expos'd to, m
be reaſonably ſuppos'd to be chiefly in his Court: An
that the Safety of his Perſon, the Commons think ought
be more conſider'd, than any Reſpect to any Perſon wha
ever.'

A Conference reſolved thereon.

And upon theſe Premiſes, it was reſolved, that anoth
Conference ſhould be deſired.

Sir Edward Deering's Report of the ſame.

The next Day being the 26th, the ſaid Conference w
held, and of which Sir Edward Deering made the followin
Report:

'That the Lord Chancellor manag'd the Conference
and, that the Lords, having conſider'd the Reaſons offer'd
th

the laſt, propos'd a farther Expedient, with which they hoped this Houſe would concur.

'That the Lords did inſiſt upon the Amendments by them made, which related to the Queen's Portugal Servants: That they wav'd what related to the excepting a limited Number of Men-Servants to the Queen and Dutcheſs; and did now only except a ſmall Number of Women-Servants, from whom no Aſſaſſination could be reaſonably apprehended.'

A Motion being then made, that the Words (*not exceed nine in Number at any one Time*,) ſhould be added to the Lords Amendment, relating to the Portugal Servants; the Queſtion was put, Whether the Houſe ſhould then adjourn, but paſs'd in the Negative: Yeas, 71; Noes, 81.

After which, the Queſtion being put to agree with the Lords in what related to the Dutcheſs of York's Women-Servants, it paſs'd in the Negative: Yeas, 65; Noes, 87. And the former Managers were directed to prepare Reaſons to be offered at another Conference with the Lords, why the Houſe did not agree with that Part of their Amendment.

An Amendment of the Lords rejected.

The 27th, Sir Edward Deering delivered in his Report from the ſaid Managers as follows:

Sir Edward Deering's Report from the Committee on the ſaid Amendment, to be offer'd to the Lords.

'That, as their Lordſhips had propos'd their Addition, the Number of her Majeſty's Portugal-Servants, being unlimited, might be increas'd to a Degree that might be very inconvenient.

'And that as to the Amendments relating to her Royal Highneſs, the Commons conceive it to be an Innovation in the Law, to allow any Perſon except the Queen, any Family of her own ſeparate and diſtinct.'

The ſame Day, the ſaid Reaſons, together with the Bill, were left with the Lords, who preſently after ſignify'd by Meſſage, their Aſſent to the Militia-Bill; and that for diſabling Papiſts to ſit in Parliament.

The Houſe then proceeded to the Conſideration of the State of the Nation, in relation to the Army; and reſolved, *nemine contradicente*, 'That it is neceſſary for the Safety of his Majeſty's Perſon, and Preſervation of the Peace of the Government, that all the Forces that have been raiſed ſince the 29th of September 1677, and all others that ſince that time have been brought over from beyond Seas from foreign Service, be forthwith disbanded: And farther in theſe Words reſolved, It is the humble Opinion and Deſire of the Houſe, That the Forces which are now in Flanders, may be immediately called over, in order to their disbanding.'

The Commons reſolve to diſband the Army.

The 28th, Mr. Secretary Coventry acquainted the Houſe, that the Vote with relation to the disbanding the Army, had been preſented to his Majeſty; which being a Matter of

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great Moment, he would conſult and adviſe with his Hou of Lords, before he would give an Anſwer. After which Mr. Oates having deliver'd certain Informations to the Hou againſt the Queen, the following Addreſs was immediatel prepar'd, and order'd to the Lords for their Concurrenc

An Addreſs to remove the Queen from Court.

'We your Majeſty's loyal and dutiful Subjects, the an Commons in Parliament aſſembled, having receiv'd Informa tion, by ſeveral Witneſſes, of a moſt deſperate and traitorou Deſign and Conſpiracy againſt the Life of your moſt Sacre Majeſty, wherein, to their great Aſtoniſhment, the Queen particularly charged, and accus'd; in diſcharge of our Alle giance, and out of our Affection and Care for the Preſerva tion of your Majeſty's ſacred Perſon, and, conſequently, the whole Kingdom, do moſt humbly beſeech your Majeſt that the Queen, and all her Family, and all Papiſts, or re puted or ſuſpected Papiſts, be forthwith remov'd from you Majeſty's Court at White-hall.

The King paſſes the Bill againſt the Papiſts, but rejects that for raiſing the Militia.

Upon the 30th, the King went to the Houſe of Peer and having ſent for the Commons, paſſed the Bill *For di abling Papiſts from ſitting in either Houſe of Parliament.* Bu the *Militia Bill*, preſented at the ſame Time, he totally re jected, alledging, 'That it was to put the Militia out of h 'Power, which thing he would not do, no not for on 'Hour; but, if the Commons would aſſiſt him with Mone 'for that Purpoſe, he would take care to raiſe ſuch a Pa 'of the Militia, as ſhould ſecure the Peace of the Govern 'ment, and his own Perſon.'

An Addreſs reſolv'd on the State and Danger of the Nation.

December 2. The Houſe order'd, That an humble Ad dreſs be preſented to his Majeſty, containing a Repreſenta tion of the preſent State, and Dangers of this Nation, to b grounded on the following Heads, *viz.* 1. On the Miſrepre ſentation of the Proceedings of this Houſe.

2. On the Dangers that have and may ariſe from priva Advices, contrary to the Advice of Parliament.

[The Houſe divided on this Article, and it was carry'd i the Affirmative, Yeas 138. Noes 114.]

3. On the great Danger the Nation lies under from th Growth of Popery.

4. On the Danger that may ariſe to his Majeſty and th Kingdom, by the Non-obſervation of the Laws, that hav been made for the Preſervation of the Peace and Safety o the King and Kingdom.

Mr. Secretary Coventry delivers a Meſſage to the Houſe, from the King.

The 4th, Mr. Secretary Coventry deliver'd a Meſſage the Houſe in Writing, from the King, which was follows:

'Charles R.

'His Majeſty, to prevent all Miſunderſtandings that m 'ariſe from his not paſſing the late Bill of the Militia,

'pleas

pleas'd to declare, That he will readily aſſent to any Bill of that kind, which ſhall be tender'd to him, for the public Security of the Kingdom, by the Militia, ſo as the whole Power of calling, continuing, or not continuing of them together, during the Time limited, be left to his Majeſty, to do therein as he ſhall find moſt expedient for the public Safety.'

Five Popiſh Lords impeach'd.

The 5th, the Houſe impeach'd Lord Arundel of Wardour, the Earl of Powis, Lord Viſcount Stafford, Lord Petre, and Lord Bellaſis of Treaſon, and other high Crimes and Miſdemeanours.

The King diſowns a verbal Meſſage delivered to the Houſe by the ſaid Secretary.

The 7th, Mr. Speaker ſignify'd to the Houſe; that he had acquainted his Majeſty, altho' it was not by Order of the Houſe, of the Entry that was made of his Majeſty's Anſwer to the Addreſs concerning the calling over the Forces out of Flanders; and that his Majeſty was pleas'd to declare, That he never gave Orders for ſuch Anſwer. But that his Majeſty's Intention was only in relation to the Forces that were in Flanders; and, that Circumſtances, as to thoſe Forces, were alter'd ſince that Time; and that his Majeſty had already given Order for their diſbanding.

A Supply granted for diſbanding the Army.

The 16th, The Houſe Reſolv'd, That the Bill for granting a Supply to his Majeſty, for Paying off, and Diſbanding the Forces, &c. ſhould paſs; and that it ſhould be entitled, *An Act for granting a Supply to his Majeſty, of* 206,462 *l.* 17 *s.* 3*d.* *for the effectual Paying off, and Diſbanding the Forces rais'd, or brought over from foreign Parts, into this Kingdom ſince September* 29, 1677.

A Meſſage from the King, to inform the Houſe, that he had ordered Mr. Montagu's Papers to be ſeiz'd.

The 19th, Mr. Chancellor of the Exchequer (Sir John Ernley) acquainted the Houſe, that he was commanded by his Majeſty to inform the Houſe that his Majeſty having receiv'd Information that his late Embaſſador in France, Mr. Montagu, a Member of this Houſe, had held ſeveral private Conferences with the Pope's Nuncio there, without any Direction or Inſtruction from his Majeſty, to the end he might know the Truth of that Matter, he had given Order for the ſeizing Mr. Montagu's Papers.

Their Reſolution thereon.

Upon which the Houſe reſolv'd, That no Judgment could be made, either in relation to their Member, or Privilege of the Houſe, which may be in a great meaſure invaded, unleſs his Majeſty will be graciouſly pleas'd to let this Houſe know, whether the Information againſt Mr. Montagu was given upon Oath, or of what Nature the Offence was, that was thus complain'd of.

Tranſmitted to the King.

A Committee was then appointed, inſtantly to wait upon the King with this Vote, who, upon their Return, inform'd the Houſe, That they had been to wait upon his Majeſty,

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according to Order, who had ſent them Word out of th
Houſe of Lords, that he was at that Time very buſy, an
that his Majeſty had rather they would attend him at Whit
hall, when the Houſe was up.

Mr. Montagu offers the Houſe certain Papers of Conſequence.

Mr. Montagu, then, took this Opportunity to acquaint th
Houſe, that he had in his Cuſtody ſeveral Papers, whic
he conceiv'd might tend very much to the Safety of his Ma
jeſty's Perſon, and the Preſervation of the Kingdom. Th
produc'd an Order of the Houſe, That certain Membe
ſhould be diſpatch'd to bring them before the Houſe; whic
was preſently done, and Mr. Montagu himſelf was order'
to open the Box, and ſelect ſuch, as he thought might b
for the Service of the Houſe; and diſpoſe of all thoſe, whic
properly concern'd himſelf, as he thought fit. Mr. Montagu
then, preſented two Letters to the Houſe, ſubſcrib'd Danby
the firſt, dated January 17, 1677; and the ſecond
March 25. 1678. both which, were read by Mr. Speaker t
the Houſe, who took great Exceptions to the followin
Paſſages.

Which are ſent for.

And read.

From the Firſt, 'Yeſterday young Rouvigny came to m
with Monſieur Barillon, (having given me his Father'
Letters the Day before) and diſcourſed much upon th
Confidence the French King hath of the Firmneſs of our'
to him; of the good Opinion his Maſter hath of me; of hi
King's Reſolution to condeſcend to any thing that is not in-
famous to him, for the Satisfaction of our King; how cer
tainly our King may depend upon all Aſſiſtances and Supplie
from his Maſter, in caſe the Friendſhip be preſerved.—Th
main of their Drift was, to engage me to prevail with th
Prince of Orange, as to the Town of Tournay—The King
muſt come to ſome Declaration of his Mind to the Parlia-
ment when it meets. That which makes the Hopes of Peace
leſs probable, is, that the Duke grows every day leſs in-
clined to it, and has created a greater Indifferency in the
King than I could have imagined; which added to the
French King's Reſolutions, not to part with Tournay, does,
I confeſs, make me deſpair of any Accommodation: Never-
theleſs, I am aſſured, that one principal Cauſe of this Ad-
journment for thirteen Days, has been to ſee if any Expe-
dient for the Peace could have been found in that Time;
and the Effect of the Adjournment hath hitherto been, that
no body will now believe other than that the Peace is already
concluded between us and France.'

From the Second: 'In caſe the Conditions of the Peace
ſhall be accepted, the King expects to have ſix Millions of
Livres a Year, for three Years, from the Time that this
Agreement ſhall be ſigned betwixt his Majeſty and the King
of France; becauſe it will probably be two or three Years
before

before the Parliament will be in the Humour to give him any Supplies, after the making any Peace with France; and the Ambaſſador here has always agreed to that Sum, but not for ſo long a Time. If you find the Peace will not be accepted, you are not to mention the Money at all; and all poſſible Care muſt be taken to have this whole Negotiation as private as is poſſible, for fear of giving Offence at home; where, for the moſt part, we hear, in ten Days after, of any thing that is communicated to the French Miniſter. Anno Car. II. 1678.

At the bottom of this Letter are theſe Words: THIS LETTER IS WRIT BY MY ORDER. C. R.

Upon reading of theſe Letters, the Houſe was all in a Flame, which was no ways allayed by the King's own Hand that appeared at the bottom; and it being propounded, That there was ſufficient Matter of Impeachment, the Houſe divided on the previous Queſtion, which was carry'd in the Affirmative, Yeas 179, Noes 116. A Committee was immediately appointed to draw up Articles, of which Mr. Montagu was one; and a Reſolution paſs'd, That the Speaker ſhould not at any time adjourn the Houſe, without firſt putting the Queſtion, if inſiſted on. An Impeachment voted againſt Lord Danby.

The 20th, Mr. Speaker inform'd the Houſe, That he had receiv'd a Letter from the Lord-Treaſurer (Danby) incloſing two others written by Mr. Montagu, while Embaſſador at Paris, which he conceived to be for the Service of the Houſe. The ſaid three Letters were * READ, and then the Houſe adjourn'd.

* *The contrary of this is affirm'd by Mr. Echard: But thus it ſtands in the Journals.*

The firſt was dated Paris, January 11, 1677-8, *in which were theſe Words;* ' *I give you the beſt Light I can into the Reaſon of Monſieur Rouvigny's Son's Journey into England, who will be there, perhaps, as ſoon as this Letter. If his Father's Age would have permitted it, I believe they would have ſent him; for they have choſen the Son, who is to make uſe of Lights his Father will give him; and by the nearer relation he has to my Lady Vaughan, who is his Couſin-german, and the particular Friendſhip which Father and Son have with Mr. William Ruſſel, he is to be introduced into a great Commerce with the male-contented Members of Parliament, and inſinuate what they ſhall think fit, to croſs your meaſures at Court, if they ſhall prove diſagreeable to them here, whilſt Monſieur Barillon goes on in his ſmooth, civil Way.*

The ſecond Letter, dated Paris, January 18, 1677-8, *has theſe Words, after ſpeaking of young Rouvigny's Journey: His chief Errand is to let the King know,* ' *That the King of France did hope he was ſo firm to him, as not to be led away by the grand Treaſurer* [Danby] *who was an ambitious Man, and, to keep himſelf with the People, would gratify their Inclinations, by leading his Maſter into an unreaſonable War againſt France. That as for Money, if he wanted that, he ſhould have what he would from hence. His Inſtructions are, if this does not take, by the means*

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Certain Amendments, added by the Lords to the Bill of Supply, rejected.

The 21st, The Lords sent down the Bill for raisi
l. 206,462. 17. 3. for the Payment, and Disbanding of th
Forces, &c. with several Amendments, which were read, an
the greatest Part rejected: And a Committee was appointe
to prepare Reasons to be offer'd at a Conference.

The same day the Articles of Impeachment against th
Earl of Danby were read, and are as follow:

Articles of Impeachment against the Earl of Danby.

I. That he hath traitorously engross'd to himself regu
Power, by treating in Matters of Peace and War wit
foreign Princes and Ambassadors, and giving Instructions t
his Majesty's Ambassadors abroad, without communicatin
the same to the Secretaries of State, and the rest of his Ma
jesty's Council, &c.

II. That he hath traitorously endeavoured to subvert th
ancient and well-established Form of Government; and, in
stead thereof, to introduce an arbitrary and tyrannical Wa
of Government; and, the better to effect this his Purpose, h
did design the raising of an Army, under pretence of a Wa
against the French King, and then to continue the same, a
a Standing-Army within this Kingdom: And an Army be
ing so raised, and no War ensuing, an Act being passed t
pay and disband the same, he did continue the Army con
trary to the said Act, and misapplied the Money to the Con
tinuance thereof, and wilfully neglected to take Security o
the Pay Masters of the Army, as the said Act required
whereby the said Law is eluded, and the Army is, yet, con
tinued, to the great Danger, and unnecessary Charge of hi
Majesty, and the whole Kingdom, &c.

III. That he, traitorously intending and designing to alie
nate the Hearts and Affections of his Majesty's good Sub
jects, from his Royal Person and Government, and to hinde
the Meetings of Parliaments, and to deprive his Majesty o
their safe and wholesome Counsel, did propose and negotiate
a Peace for the French King, upon Terms disadvantageou
to the Interest of his Majesty, and his Kingdoms; for the do
ing whereof, he endeavoured to procure a great Sum of Mo
ney from the French King, for enabling him to maintain
and carry on his said traitorous Designs and Purposes.

IV.

meant of William Russel, and other discontented People, to give a great deal of Money, and cross all your Measures at Court.—Old Rowigny, who values himself for knowing of England, has given it them for a Maxim, That they must diminish your Credit, before they can do any good; but since their chief Quarrel to you is, the being so just to your Master's Interest, I am sure he is too just to let them do you any hurt. If the King is for a War, you know what to do; if he hearkens to their Money, be pleased to let me know what they offer, and I dare answer to get our Master as much again; for Barillon's Orders are to make the Market as low as he can.'

IV. That he is popiſhly affected, and hath traitorouſly concealed (after he had notice) the late horrid and bloody Plot and Conſpiracy, contrived by the Papiſts againſt his Majeſty's Perſon and Government; and hath ſuppreſſed the Evidence, and reproachfully diſcountenanced the King's Witneſſes in the Diſcovery of it, in favour of Popery, &c.

V. That he hath waſted the King's Treaſure, by iſſuing out of his Majeſty's Exchequer ſeveral Branches of his Revenue for unneceſſary Penſions and ſecret Services, to the Value of 231,602 Pounds, within two Years, &c. And he hath removed two of his Majeſty's Commiſſioners of that part of the Revenue, for refuſing to conſent to ſuch his unwarrantable Actings therein, and to advance Money upon that Branch of the Revenue for private Uſes.

VI. That he hath, by indirect means, procured from his Majeſty to himſelf, divers conſiderable Gifts and Grants of Inheritance, of the ancient Revenue of the Crown, even contrary to Acts of Parliament.

Diviſions thereon.

On reading the firſt Article a ſecond time, the Queſtion was put, that the Articles be committed, which paſs'd in the Negative, Yeas 137, Noes 179.

The Houſe divided next on a Motion for Candles, which paſſed in the Affirmative, Yeas 165, Noes 115.

The Houſe again divided on a Motion to leave out the Word traitorouſly in the firſt Article, which paſſed in the Negative, Noes 179, Yeas 141.

On a Reſolution that Lord Danby ſhould be impeach'd on the above-recited Articles, a Motion was made to adjourn, but over-ruled, Yeas 142, Noes 170.

The laſt Diviſion during this grand Debate, was on a Motion whether the ſaid Lord ſhould be impeach'd on the 4th Article, and it was carried in the Affirmative, Yeas 143, Noes 119.

Several Letters laid before the Houſe by the King's Order, relating to Mr. Montagu.

The 23d, Mr. Chancellor of the Exchequer preſented ſeveral Letters (afterwards READ) to the Houſe, by Order of his Majeſty, in anſwer to their Addreſs, to know whether the Information againſt Mr Montagu was taken upon Oath, and of what nature the Offence was, that was complained of.

Mr. Powle's Report of Reaſons for rejecting the Lords Amendments to the Bill of Supply.

The ſame day Mr. Powle deliver'd in his Report from the Committee appointed to prepare Reaſons to be offer'd to the Lords at a Conference why the Houſe did not agree to the Amendments made by them to the Bill, for granting a Supply, &c. which, in Subſtance, was as follows:

'That the Appointment of Receiver-General by his Majeſty, being made by their Lordſhips in reference to the Payment of the Money into the Exchequer; the Commons diſagreeing

Anno 30 Car. II. 1678. disagreeing with their Lordships in that Amendment, th Reasons of that Appointment cease.

That if the nominating a Receiver-General should be de lay'd, the whole Business of disbanding would be delay'd a disappointed likewise.

That the Commons granted a Sum of Money for disband ing the Army last Year, and intrusted it to the Exchequer but that the said Sum was employ'd for the Continuance o the Army, without disbanding one Man; and that the cannot think it safe to trust the Exchequer again, while ma nag'd by the same Persons.

That the Commons have directed the Payment of th Money into the Chamber of London, for its Security; and that their Lordships never before chang'd any such Dispo sition made on a Supply granted by the Commons.

That the Commons do not conceive certain Words adde by the Lords to be necessary.

That in naming Colonel Birch, their Lordships have o mitted his Title of Colonel.

That the Commons, thinking it necessary for the Peace and Safety of the Kingdom, that the Army should be imme diately disbanded, to prevent all Evasions, have enumerated all ways hitherto used for that purpose, that they might be declar'd to be within the Penalties of the present Act.

That it being essential that the Soldiers should disperse as soon as they are disbanded, the Commons do not think the Penalty of Felony too great in case of Disobedience.

That the Commons think fit to continue the Preamble to the Clause of Indemnity, because it contains the Reasons for inserting that Clause in the Bill.

[*Here follow'd two other Reasons relating to the Addition of the Word* such, *which being unintelligible, without the Amend ments themselves, are left out.*]

That this being an Act for the more effectual disbanding of the Army, the Commons did limit the Indemnity to the Officers and Soldiers, being the Persons that were to be dis banded; that, thereby, they might be encourag'd to disperse when they were satisfy'd they might return home with safety And the Commons not thinking it necessary or convenient to extend it any farther.

That the Commons do not think fit to extend the Indem nity to any Person enlisted, or mustered, since November 1 because they see no occasion why any such Person should be taken into the Army, unless it were to increase the Charge, or for some ill purpose.

Sir Henry Capel. The same day Sir Henry Capel attended the Lords, with the Articles of Impeachment against the Lord-Treasurer.

The

The 28th, what paſſed between the Lords and Commons a Conference on the Amendments added by the Firſt on the Bill for a Supply, was reported to this purpoſe by Mr. Powle.

Mr. Powle's Report of the Conference, on rejecting the Amendments, &c.

That the Conference was manag'd by the Lord Privy-Seal, who declar'd it was principally deſir'd with regard to three Points, viz. That of the Receiver-General; That of the Place for lodging the Money; and, That for indemnifying for the Breach of the former Act, and the Penalty for offending againſt this.

1. That their Lordſhips inſiſt on their Amendment with regard to the Appointment of a Receiver-General; becauſe the Money is to be paid into the Exchequer.

2. That the moſt expeditious way to nominate a Receiver-General, is to leave it to his Majeſty; who, having the higheſt Truſt, is moſt concern'd, that the Army ſhould be ſpeedily and effectually diſbanded.

3. That we conceive it tends more to Certainty and Expedition, to leave his Majeſty to make uſe of ſuch Officers as are now in being, than to ſeek new.

The Reaſons of our inſiſting to have the Money paid into the Exchequer, are,

1. Becauſe the Exchequer is an ancient Court, eſtabliſhed both by common Law and Statute for all Receipts of his Majeſty's Money, and managing Matters relating to the Revenue.

2. That finding it inconvenient and grievous to the Subject, that his Majeſty's Revenues of all ſorts ſhould not be paid into the Exchequer, divers Laws have been made to enforce the Payment of all Money there.

3. That in caſe of Injuries to the Subject, this Act provides no Redreſs, in caſe the Money ſhould be paid into the Chamber of London: Whereas, by Law, every Subject injur'd in his Payment, is to have Remedy before the Barons.

4. That their Lordſhips cannot ſuſpect that any Perſon employ'd in diſbanding the Army would miſ-employ the Money which is appropriated for that purpoſe, under ſuch ſevere Penalties, and to be diſpos'd of by Commiſſioners appointed by the Houſe of Commons.

5. That the Act provides no Security for the Money, if paid in the Chamber of London; nor any Remedy againſt the Chamberlain, in caſe of Breach of Truſt.

6. That the not diſbanding the Army laſt Year, according to the Bill for that end, was not owing to any Fault in the Exchequer, but the Neceſſity of Affairs; as his Majeſty ſignified to both Houſes at the Opening of the Seſſion.

7. The Army was continued, which occaſioned the Clauſe of Indemnity to all thoſe that have ſince continued in Arms;

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and this is not only a reaſon for our Amendments, but a Anſwer to the firſt Reaſon of the Houſe of Commons upo this Point.

8. That their Lordſhips cannot charge their Memorial with not having alter'd any ſuch Diſpoſition made in a Sup ply. But that, nevertheleſs, their Lordſhips do herein bu claim the Exerciſe of their Right, to make Alterations ac cording to their Judgments.

The 9th Article being unintelligible, is omitted.

To the Reaſons concerning Colonel Birch, the Lord agree.

The Lords inſiſt upon their Amendments, againſt the fol lowing Reaſons offer'd by the Commons: Becauſe they con ceive the effectual diſbanding the Army is ſecur'd, as the have amended the Bill. As the Commons ſent it up, it woul have invaded the King's declar'd Power, to have rais'd o employ'd the Army on any other Emergency; it would hav diſabled him from filling up the Guards and ſtanding Troop and furniſhing the Iſlands out of the Forces ſo diſbanded which is likewiſe a main reaſon why the Lords could no conſent to make the Penalty of Felony ſo extenſive, as t reach any ſo employ'd.

And we do inſiſt on leaving out the Preamble to th Clauſe of Indemnity, becauſe of the Neceſſity there was fo the Army's Continuance; and for the ſame reaſon we inſi on the Word *ſuch*, &c.

That, concerning the Indemnity being limited by th Commons to Officers and Soldiers, the Lords thought fit t enlarge it to all other Perſons; and being a Work of Mer cy, and no Officer impeach'd or queſtion'd for Breach of th former Act; and for the ſame reaſon they inſiſted on thei two laſt Amendments.

Diſſatisfactory to the Commons.

The Queſtion was then put, to agree to theſe Amendment and paſſed in the Negative without a Diviſion: After whic other Reaſons were appointed to be drawn up, and anothe Conference was deſired. But, on the 30th, the King com manded their Attendance in the Houſe of Peers; where, h put an end to the Seſſion, with a Speech to the following effect.

The King's Speech at proroguing the Parliament.

'THat it was with great unwillingneſs that he came to tell them, that he intended to prorogue them; that all of them were Witneſſes he had not been well uſed, the Particulars of which he would acquaint them with at a more ſeaſonable time. In the mean time he would immediately enter upon the diſbanding the Army and do what good he could for the Kingdom, and Safety of Religion; and that he would proſecute the Diſcovery o

'of the Popiſh Plot, to find out the Inſtruments of it, and 'to take all the Care that was in his power to ſecure the 'Proteſtant Religion, as it was now by Law eſtabliſhed.' And accordingly his Majeſty was pleaſed to prorogue the Parliament till the 4th Day of February next. And thus ended the Eighteenth and laſt Seſſion of the Second and long Parliament, after it had continued the Space of two Months and nine Days.

On the 24th of January, his Majeſty iſſu'd out a Proclamation, in which he declared,

A Proclamation, to diſſolve the Parliament.

'That he had taken into his ſerious Conſideration, the 'many Inconveniencies ariſing by the over-long Continuance 'of one and the ſame Parliament; wherefore he publiſhes 'and declares his Royal Will and Pleaſure to diſſolve this 'preſent Parliament. But to the Intent his Majeſty's loyal 'Subjects may perceive the Confidence his Majeſty hath in 'their good Affections, and how willing and deſirous his Ma'jeſty is to meet his People, and have their Advice by 'their Repreſentatives in Parliament, he will cauſe Writs 'in due Form of Law, to be forthwith iſſued for the call'ing of a new Parliament, which ſhall begin and be 'holden at Weſtminſter, on Thurſday the ſixth Day of 'March next; when his Majeſty doth expect ſuch Laws 'will be enacted, and ſuch Order taken, by the Conſent 'and Advice of his Parliament, as will tend to the ſecuring 'the true Proteſtant Religion, and the peaceable and happy 'Government of this his Kingdom.'

The third Parliament, 1678-9.

On Thurſday the 6th of March, the Parliament met; and the King open'd the Seſſion with the following Speech to both Houſes:

'My Lords and Gentlemen,

The King's Speech to both Houſes.

'I Meet you here with the moſt earneſt Deſire that Man 'can have, to unite the Minds of all my Subjects, both 'to me, and to one another: And I reſolve it ſhall be your 'Faults, if the Succeſs be not ſuitable to my Deſires. I 'have done many great Things already in order to that end, 'as the Excluſion of the Popiſh Lords from their Seats in 'Parliament; the Execution of ſeveral Men, both upon 'the ſcore of the Plot, and the Murder of Sir Edmund'bury Godfrey; and it is apparent, that I have not been 'idle in proſecuting the Diſcovery of both, as much far'ther as hath been poſſible in ſo ſhort a Time. I have 'disbanded as much of the Army as I could get Money 'to do; and I am ready to disband the reſt ſo ſoon 'as you ſhall reimburſe me the Money they have coſt me, 'and will enable me to pay off the Remainder: And above 'all, I have commanded my Brother to abſent himſelf from

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me, becauſe I would not leave malicious Men room to ſa
I had not removed all Cauſes which could be pretended
influence me towards Popiſh Counſels.

'Beſides that end of Union which I aim at (and which could wiſh could be extended to Proteſtants abroad as well at home) I propoſe by this laſt great Step I have made, to diſcern whether the Proteſtant Religion, and the Peace of the Kingdom be as truly intended by others, as they are really aimed at by me: For, if they be, you will employ your Time upon the great Concerns of the Nation, and not be drawn to promote private Animoſities, under the Pretences of the Public: Your Proceedings will be calm and peaceable, in order to thoſe good Ends I have recommended to you; and you will curb the Motions of any unruly Spirits, which would endeavour to diſturb them.

'I hope there will be none ſuch among you, becauſe there can be no Man that muſt not ſee, how fatal Differences amongſt ourſelves are like to be at this Time, both at home and abroad. I ſhall not ceaſe my Endeavours, daily to find out what more I can, both of the Plot, and the Murder of Sir Edmund-bury Godfrey, and ſhall deſire the Aſſiſtance of both my Houſes in the Work. I have not been wanting in giving Orders for putting all the preſent Laws in Execution againſt Papiſts; and I am ready to join in the making ſuch farther Laws, as may be neceſſary for ſecuring the Kingdom againſt Popery.

'I muſt deſire your Aſſiſtance alſo in the Supplies, both for disbanding the Army, as I have already told you, and for paying that part of the Fleet, which hath been provided for by Parliament but till the fifth of June laſt; and alſo that Debt for Stores, which was occaſioned by the Poll-Bill's falling ſhort of that Sum, which that Act gave Credit for. I muſt neceſſarily recommend to you likewiſe the diſcharging of thoſe Anticipations which are upon my Revenue, and which I have commanded to be laid before you; and I hope I ſhall have juſt cauſe to deſire ſuch an Increaſe of the Revenue itſelf, as might make it equal to my neceſſary Expences; but by reaſon of thoſe other Supplies, which are abſolutely neceſſary at this Time, I am contented to ſtruggle with that Difficulty a while longer, expecting for the preſent only, to have thoſe additional Duties upon Cuſtoms and Exciſe to be prolonged to me; and that you will ſome other way make up the Loſs I ſuſtain by the Prohibition of French Wines and Brandy, which turns only to my Prejudice, and to the great Advantage of the French. I muſt needs put you in mind how neceſſary it will be to have a good Strength at Sea next Summer, ſince our Neighbours are making naval

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Preparations: and notwithſtanding the great Difficulties I labour under, I have taken ſuch Care as will prevent any Danger that can threaten us, if your Parts be performed in time. And I do heartily recommend to you, that ſuch a conſtant Eſtabliſhment might be made for the Navy, as might make the Kingdom not only ſafe, but formidable; which can never be, whilſt there remains not enough beſides, to pay the neceſſary Charges of the Crown. Anno 21 Car. II. 1671-2.

'I will conclude as I begun, with my earneſt Deſires to have this a HEALING PARLIAMENT; and I do give you this Aſſurance that I will with my Life defend both the Proteſtant Religion, and the Laws of this Kingdom, and I do expect from you to be defended from the Calumny, as well as the Danger of thoſe worſt of Men, who endeavour to render me, and my Government, odious to my People The reſt I leave to the Lord Chancellor.'

Accordingly the Lord Chancellor Finch, after a handſome Introduction, proceeded thus:

Chancellor Finch's Speech.

'The Conſiderations which are now to be laid before you, are as urgent and as weighty as were ever yet offered to any Parliament, or indeed ever can be; ſo great, and ſo ſurprizing have been our Dangers at home, ſo formidable are the Appearances of Danger from abroad, that the moſt united Councils, the moſt ſedate and calmeſt Temper, together with the moſt dutiful and zealous Affections that a Parliament can ſhew, are all become abſolutely and indiſpenſably neceſſary for our Preſervation. At home, we had need look about us: For his Majeſty's Royal Perſon hath been in danger, by a Conſpiracy againſt his ſacred Life, maliciouſly contrived, and induſtriouſly carried on, by thoſe Seminary-Prieſts and Jeſuits, and their Adherents, who think themſelves under ſome Obligations of Conſcience to effect it; and, having vowed the Subverſion of the true Religion amongſt us, find no way ſo likely to compaſs it, as to wound us in the Head, and to kill the Defender of the Faith His Majeſty wanted not ſufficient Evidence of his Zeal for our Religion, without this Teſtimony from his Enemies, who were about to ſacrifice him for it: But it hath ever been the Practice of thoſe Votaries, firſt to murder the Fame of Princes, and then their Perſons; firſt to ſlander them to their People, as if they favoured Papiſts, and then to aſſaſſinate them for being too zealous Proteſtants. And thus, by all the Ways and Means which our Law calls Treaſon, and their Divinity calls Merit and Martyrdom, they are trying to ſet up the Dominion and the Supremacy of the Pope, as if the Dignity of his triple Crown could never be ſufficiently advanced, unleſs

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these three Kingdoms were added unto him, and all brought back again under that Yoke, which neither we, nor our Fore-fathers, were able to bear.

'The Enquiry into this Conspiracy hath been closely pursued, and the Lords of the Council have been careful to prosecute the Discovery, ever since the rising of the last Parliament, and the King doth now recommend it to you to perfect. More Evidence hath been already found out, and more Malefactors discovered, some in hold, some fled; the Justices of the Peace have been quickened in the Execution of their Duty, the Negligent have been reproved and punished, the Diligent encouraged, and assisted, in doubtful Cases by the Judges; active and faithful Messengers have been sent into all the Corners of the Kingdom, where there was any hopes of Service to be done; the very Prisons have been searched, to see whether any had fled thither to hide themselves there, and, under pretence of Debt, to escape the Pursuit; and if any have desired leave to go beyond Sea, they have first given Security not to go to Rome, nor send their Children to any foreign Seminaries; and then they have been obliged to give in a List of all their menial Servants, and those Servants too have been examined upon Oath: And Order is given that they be again examined at the Ports, and make Oath they are the same Persons who were examined above: So that all possible Care hath been taken that no Malefactors might escape us in disguise. And tho' the Priests themselves do not keep the Confessions of their Proselytes more secret than these keep the Injunctions of their Priests, yet enough hath appeared to bring some capital Offenders to public Justice, and to convict them of the Crime: some of the Traitors have been executed; several Priests have been arrested and imprisoned; all are hiding themselves, and lurking in secret Corners, like the Sons of Darkness. The Murderers of Sir Edmund-bury Godfrey have been condemned and suffer'd Death: Some Papists have banished themselves out of the Kingdom, others are imprisoned for not taking the Oaths: All are prosecuted towards Conviction; and the very Shame and Reproach, which attends such abominable Practices, hath covered so many Faces with new and strange Confusions, that it hath proved a powerful Argument for their Conversions: Nor is it to be wonder'd at, that they could no longer believe all that to be Gospel which their Priests taught them, when they saw the Way and Means of introducing it was so far from being evangelical. In a word, so universal is that Despair to which the Papists are now reduced, that they have no other Hope left but this, that we may chance to over-do our own Business; and by being too far transported with the Fears of Popery,

Popery, neglect the Opportunities we now have of making ſober and laſting Proviſions againſt it. And 'tis not to be doubted but that it would infinitely gratify the Papiſts in the Revenge they wiſh, for this Diſcovery, if they could ſee us diſtracted with Jealouſies incurable, and diſtruſting the Government to ſuch a Degree, as ſhould weaken all that Reverence by which it ſtands: For then the Plot would not be altogether without Effect; but thoſe whom they could not deſtroy by their Conſpiracy, they ſhould have the Satisfaction to ſee ruining themſelves after the Diſcovery: So that, tho' we had eſcaped that Deſolation which they intended to have brought upon us, nothing could ſave us from that Deſtruction which we ſhall bring upon ourſelves. But their Expectations of this are as vain, as their other Deſigns were wicked: For his Majeſty hath already begun to let them ſee with what Severity he intends to proceed againſt them. He hath paſſed a Law to diſable all the Nobility and Gentry of that Faction ever to ſit in Parliament; and not content with that, he did offer to the laſt Parliament, and does again renew the ſame Offer to this Parliament, to paſs any farther Laws againſt Popery which ſhall be deſired: So as the ſame extend not to the Diminution of his own Prerogative, nor alter the Deſcent of the Crown in the right Line, nor defeat the Succeſſion. He hath refuſed the Petition of the Lords, who, during the Interval of Parliament, deſired to be brought to their Trial; and, after ſo long an Impriſonment, might reaſonably enough have expected it. But his Majeſty thought it fitter to reſerve them to a more public and conſpicuous Trial in Parliament: For which Cauſe their Trial ought now to be haſtned; for it is high time there ſhould be ſome Period put to the Impriſonment of the Lords.

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'But that which the King hath been pleaſed to mention to you this Morning, ſurpaſſes all the reſt, and is ſufficient of itſelf alone to diſcharge all thoſe Fears of Popiſh Influences, which many good Men had too far entertained: For now you ſee his Majeſty, of his own accord, hath done that, which would have been very difficult for you to ask; and hath deprived himſelf of the Converſation of his Royal and only Brother, by commanding him to depart the Kingdom; to which Command his Royal Highneſs hath paid a humble and a moſt entire Submiſſion and Obedience. This Separation was attended with a more than ordinary Sorrow, on both ſides. But he, that, for your Sakes, could part with ſuch a Brother, and ſuch a Friend, you may be ſure, hath now no Favourite but his People. Since therefore his Majeſty hath ſhewn ſo much Readineſs to concur with, and in a manner to prevent the Deſires of his Parliament, it is a miſerable Refuge our Enemies muſt truſt to, when they hope to ſee our Zeal o'r-run

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our Diſcretion, and that we ourſelves ſhall become the unhappy Occaſion of making our own Counſels abortive. Not only the Care of the State, but the Care we ought to have of the Church too, will preſerve us from Errors of this kind: For as there neither is, nor hath been theſe fifteen hundred Years, a purer Church than ours; ſo it is for the ſake of this Church alone, that the State hath been ſo much diſturbed. It is her Truth and Peace, her Decency and Order, which they labour to undermine, and purſue with ſo reſtleſs a Malice: And ſince they do ſo, it will be neceſſary for us to diſtinguiſh between Popiſh and other Recuſants, between them that would deſtroy the whole Flock, and them that only wander from it. And among the many good Laws you ſhall think fit to provide, it may not be amiſs to think of ſome better Remedy for regulating the Preſs, from whence there daily ſteal forth Popiſh Catechiſms, Pſalters, and Books of Controverſy: And it may be another good Fruit of ſuch Law, to hinder ſchiſmatical and ſeditious Libels too; for certainly it were much better for us to make ſuch Laws as will prevent Offences, rather than ſuch as ſerve only to puniſh the Offenders.' Then, inſiſting upon the Reaſonableneſs of a Supply, from the Dangers abroad, and the Neceſſities at home, he proceeded thus:

'My Lords and Gentlemen, There are many Things to do, and ſo little Time to do them in, that there ought not to be one Minute loſt. The Seaſon of the Year is not yet ſo far advanced, as to make it too late to ſet out a Fleet this Summer; for moſt of the Preparations are ready, if we go about it with that Diligence which is requiſite. And therefore it doth infinitely import us all to husband Time. The beſt Way of doing this will be, to avoid all long and tedious Conſultations, which ſometimes do as much harm as ill Reſolutions: And, above all, to take heed to avoid ſuch Queſtions and Debates as tend to raiſe Heat, or may create any kind of Diſturbance. Nor doth any thing in the World ſo much contribute to Diſpatch as quiet and orderly Proceedings: For they who are in haſte, and attempt to do all their Buſineſs at once, moſt commonly hinder themſelves from bringing any thing to Perfection. You have now an Opportunity of doing great Things for the King and Kingdom; and it deſerves your utmoſt Care to make a right Uſe of it: For it is not in the power of a Parliament to recover a loſt Opportunity, or to reſtore themſelves again to the ſame Circumſtances, or the ſame Condition, which they once had a Power to have improved. Would you ſecure Religion at home, and ſtrengthen it abroad, by uniting the Intereſt of all the Proteſtants in Europe? This is the Time. Would you let the Chriſtian World ſee the King in a Condition able to

to protect those who shall adhere to him, or depend upon him? This is the Time. Would you extinguish all your Fears and Jealousies? Would you lay aside all private Animosities, and give them up to the Quiet and Repose of the Public? This is the Time. Would you lay the Foundation of a lasting Peace, and secure the Church and State against all the future Machinations of our Enemies? THIS IS THE TIME.

'My Lords and Gentlemen, The present Face of Things, and the State wherein we now are, is so well known and understood abroad, that the whole World is in great Expectations of those Resolutions which shall be taken here: The Results of this Council seem to be decisive of the Fate of these Kingdoms for many Ages, and are like to determine us either to Happiness or Misery of a very long Duration. We use to say, and say truly, That the King, when seated in Parliament, is then in the fulness of his Majesty and Power, and shines forth with the brightest Lustre. Let no Exhalation from beneath darken or obscure it! Foreign Nations say, and say truly, that a King of England, in conjunction with his Parliament, is as great and dreadful a Prince as any in Europe: Shew them the Sight they are afraid of! And since they have laid it down for a Maxim in their Politics, That England can never be destroyed but by itself; and that it is in vain to make any Attempts upon this Nation, until they be in some great Disorder and Confusion among themselves; make the Ambitious despair betimes, and establish so perfect an Intelligence between all the Parts of this great Body, that there may be but one Heart, and one Soul among us. And let us all pray, That he who hath once more miraculously delivered the King, the Church and the State, would be pleased still to continue his divine Protection, and give us thankful and obedient Hearts. And when we have offered up those Hearts to God, let us, in the next place, offer them again to the King, and lay them down at the Footstool of his Throne, that so the King may see himself safe in your Councils, rich in your Affections, victorious by your Arms, and raised to such a Height by your Loyalty and Courage, that you may have the Houour of making him the greatest King, and he the Glory of making you the happiest People.'

In conclusion, by the King's Commands, he ordered the House of Commons to proceed to the Choice of a Speaker, who was to be presented to the King the next Day; and being returned to their House, Colonel Birch did nominate and recommend the Right Honourable Edward Seymour, Knight of the Shire for the County of Devon, Treasurer of the Navy, one of his Majesty's most Ho-

Mr. Seymour chosen Speaker.

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nourable Privy-Council, and Speaker of the laſt Pa liament; being a Perſon acceptable to the King, and o who for his great Integrity, Ability, and long Experien in the Employment, was the fitteſt Perſon for ſo great Truſt. And Mr. Seymour being unanimouſly called upon the Chair, was conducted thither by Sir Thomas Lee, S Thomas Whitmore, and divers other Members; and b ing there placed, he made a gratulatory Speech to t Houſe for their great Kindneſs and Affection towards hi in their unanimous Choice of him: But ſtill he deſired t Houſe that they would proceed to a new Election, 'F the long ſittings of the late Parliament had ſo impaired H Health, that he doubted he ſhould not be ſo well able undergo the Service of the Houſe, as would be expect from him.' But the Houſe, not admitting of any Excuſe, co firmed their Choice; upon which he deſired Leave, 'Th he might intercede with his Majeſty, that he would pleaſed to diſcharge him of the Duty.'

But it appears, that he needed not have been ſo urgent; f the King and the Earl of Danby, taking this Choice to be ill Preſage, that this Parliament would begin where the la ended, were reſolved not to approve of it: And as ſoon as h appeared to be preſented, the Lord Chancellor ſtood up, an ſaid, 'That if his Majeſty ſhould always accept a Perſo 'pitch'd upon by the Houſe of Commons, then it would b 'no great Favour to be choſen a Speaker; and therefo 'his Majeſty, being the beſt Judge of Perſons and Thing 'thought fit to except againſt Mr. Seymour, as being fit 'qualified for other Services and Employments, witho 'giving any Reaſon to the Perſons chuſing or the Perſon ch 'ſen.' And therefore he ordered them to fix upon ſome oth Perſon by to-morrow Morning, to be preſented to the Kin for his Approbation. The Commons immediately returne back to their own Houſe, where * Sir John Ernley ſtood u and acquainted them, 'He had Orders from his Majeſt 'to recommend Sir Thomas Meers to them to be the 'Speaker, as a Perſon well known in the Method an 'Practice of Parliaments, and a Perſon that he thoug 'would be very acceptable and ſerviceable to them.' Bu the Houſe in a great Heat cried out, No, no! and fell int a warm Debate. In which ſeveral Gentlemen ſpoke as follow

'It was never known that a Perſon ſhould be excepte againſt, and no Reaſon at all given. It is done to gratif ſome particular Perſon; for Mr. Seymour is a Man wh perform'd that Service formerly without Complaint; and a he would not conſent to the Prejudice of one Hair of th Crown or Prerogative, ſo he will not infringe the Liberty o the People, in parting with the leaſt of their juſt Rights.

'Thi

The King refuſes him.

Sir John Ernley by the King's Order recommends Sir Thomas Meers.

Debates upon it.

Mr. Sacheverel.

* *Chancellor of the Exchequer.*

Mr. Williams.

'This ſeems to be a Queſtion of Right: For above a hundred Years paſt, it has not been known that any Speaker, preſented to the Kings or Queens of England, was ever excepted againſt, without ſome Reaſon given, or for ſome great Cauſe: And the Thing itſelf of preſenting him to the King, is, I humbly conceive, but a bare Compliment. If we ſuffer this, we ſhall be put upon daily. Let us adjourn for the preſent.'

Sir Thomas Clarges.

'There were Parliaments long before there were Speakers choſen; and afterwards, for the Eaſe of the Houſe, among themſelves they pitched upon a Speaker. Beſide, I can prove not long ſince, that Parliaments have adjourned themſelves *de Die in Diem*, for fourteen Days together, without any Speaker among them, and the Clerk of the Houſe always put the Word for Adjournment. Gentlemen, all our Lives and Liberties are to be preſerv'd by this Houſe; and therefore, we are to preſerve the Liberties of it.'

Mr. Garraway.

'If you admit this, you would admit any Thing. If Mr. Seymour be rejected from being Speaker, and no Reaſon given, pray who muſt chuſe the Speaker, the King or us? It is plain, not us. I remember when Popham was choſen Speaker, he was rejected: But the Reaſon was given; becauſe he had been wounded, and was ſickly; and another for not being able to endure, by reaſon of Diſability of Body: But nothing of this can be objected againſt Mr. Seymour; he being an approv'd Perſon by his Majeſty the laſt Parliament.'

Sir Thomas Lee.

'I cannot forget how we addreſſed ourſelves to his Majeſty, as fearing his Perſon to be in danger, by reaſon of the Plots; but we receiv'd no Anſwer at all for a whole Week, from Monday to Monday, when we were immediately prorogued unexpectedly; and immediately after, diſſolv'd as unexpectedly; and I ſuppoſe the ſame Perſons who gave that Advice, gave this alſo. To except againſt a Speaker, without giving a Reaſon, is to do a Thing that may ſet us together by the Ears, and then they have their deſign'd End. But I ſhall not conſent to part with the leaſt Right that belongs to my Country, for which I am choſen a Repreſentative.'

Colonel Birch.

'He that adviſ'd this, will readily adviſe more, I'll warrant you. This is only a Bone caſt among us. I thought we could not have oblig'd his Majeſty more, than to pitch upon a Privy-Counſellor, and one in ſo great Favour with his Majeſty, and in ſeveral great Places and Employments under him. Beſide, he was yeſterday at Whitehall, after we had choſe him Speaker, to acquaint his Majeſty with it, and then his Majeſty was very well pleas'd with the Choice; and, for the Truth of this, I appeal to Mr. Seymour himſelf.

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But this ill Advice is given ſince, by ſome, I fear, too near the King. I ſhall not touch upon Prerogative. But let us think of Adjournment for the preſent.'

Mr. Powle.

'This is an ominous Thing, to ſtumble at the Threſhold, before we are in the Houſe. But this ill Advice muſt proceed from ſome who are too near the King, and fearful we ſhould agree. But I hope there is no Man here, a Repreſentative of his Country, fearful of ſpeaking his Mind freely, in favour of thoſe whom he repreſents; nor yet afraid of being diſſolv'd, if it be To-morrow, for maintaining the Right of thoſe who chuſe them to ſit here for them. I will not invade Prerogative, neither will I give Conſent to the Infringement of the leaſt Liberty of my Country. But let us do nothing haſtily: but conſider Precedents, and adjourn ourſelves till To-morrow Nine o'clock.'

Theſe Heats were ſo much the greater, becauſe they reaſonably ſuppoſed that it was all occaſioned by the Earl of Danby, whoſe Power was not wholly at an end; and between whom and Mr. Seymour there was a particular Reſentment. However, the firſt Thing reſolved on the next Day, being Saturday, was, 'That an humble Application be made to the King, to acquaint his Majeſty, that the Matter yeſterday delivered by the Lord Chancellor, relating to the Speaker, is of ſo great Importance, that this Houſe cannot immediately come to a Reſolution therein: And therefore do humbly deſire his Majeſty, that he will graciouſly be pleaſed, to grant ſome farther Time for this Houſe to take it into Conſideration.' And they ordered the Chancellor of the Dutchy, the Lord Cavendiſh, the Lord Ruſſel, and Sir Henry Capel, immediately to attend his Majeſty with this Vote. Being returned in a ſhort Time, the Lord Ruſſel acquainted the Houſe, that they had attended his Majeſty, who was ſitting in Council; and that his Majeſty, as ſoon as he was informed they were to wait upon him from the Houſe, immediately came out, and received them with great Chearfulneſs and Kindneſs: And having delivered their Meſſage, his Majeſty retired to the Council-Chamber, and coming out again, was pleaſed to return the following Anſwer by Word of Mouth, which they had reduced to Writing:

The Houſe applies to the King.

His Anſwer.

'Gentlemen,

'I Have conſidered of your Meſſage, and do conſent to a 'farther Time, which I appoint to be on Tueſday next, 'unleſs you ſhall find ſome Expedient in the mean time; 'for as I would not have my Prerogative intrenched upon, 'ſo I would not do any thing againſt the Privileges of the 'Houſe.'

Upon

Upon the ſaid Tueſday, they drew up this humble Repreſentation.

The Commons Repreſentation.

'We your Majeſty's moſt dutiful and loyal Subjects, the Commons in this preſent Parliament aſſembled, do with all Obedience return your Majeſty moſt hearty Thanks for the favourable Reception, and gracious Anſwer your Majeſty was pleaſed to return to our late Meſſage; wherein your Majeſty was pleaſed, not only to allow us longer Time, to deliberate of what was delivered to us by the Lord Chancellor, relating to the Choice of a Speaker, but likewiſe to expreſs ſo great a Care not to infringe our Privileges. And we deſire your Majeſty to believe, no Subjects ever had a more tender Regard, than ourſelves, to the Rights of your Majeſty, and your Royal Prerogative; which we ſhall always acknowledge to be veſted in the Crown, for the Benefit and Protection of your People. And therefore for the clearing all Doubts that may ariſe in your Royal Mind, upon this Occaſion now before us, we crave Leave humbly to repreſent unto your Majeſty, that it is the undoubted Right of the Commons to have the free Election of one of their Members, to be their Speaker, and to perform the Service of the Houſe: And that the Speaker, ſo elected and preſented according to Cuſtom, hath, by the conſtant Practice of all former Ages, been continued Speaker and executed that Employment, unleſs ſuch Perſons have been excuſed for ſome corporal Diſeaſe, which has been alledged, either by themſelves, or ſome others in their Behalf, in full Parliament. According to this Uſage, Mr. Edward Seymour was unanimouſly choſen, upon the Conſideration of his great Ability and Sufficiency for that Place, of which we had large Experience in the laſt Parliament, and was preſented by us to your Majeſty, as a Perſon we conceived would be moſt acceptable to your Majeſty's Royal Judgment. This being the true State of the Caſe, we do in all Humility lay it before your Majeſty's View; hoping that your Majeſty, upon due Conſideration of former Precedents, will reſt ſatisfied with our Proceedings, and will not think fit to deprive us of ſo neceſſary a Member, by employing him in any other Service; but to give us ſuch a gracious Anſwer, as your Majeſty, and your Royal Predeceſſors have always done heretofore upon the like Occaſions; that ſo we may, without more loſs of Time, proceed to the Diſpatch of thoſe important Affairs, for which we were called hither: Wherein we doubt not but we ſhall ſo behave ourſelves, as to give an ample Teſtimony to the whole World, of our Duty and Affection to your Majeſty's Service, and of our Care of the eace and Proſperity of your Kingdoms.'

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To this Repreſentation the King immediately gave this ſhort Anſwer.

The King's Anſwer.

'Gentlemen,

'All this is but loſs of time; and therefore I deſire you 'to go back again, and do as I have directed you.'

This giving no ſatisfaction to the Houſe, the next day, March 12th, the Commons, after a warm Debate, drew up the following Addreſs:

The Commons Addreſs.

Moſt gracious Sovereign,

'Whereas by the gracious Anſwer your Majeſty was pleaſed to give to our firſt Meſſage in Council, whereby your Majeſty was pleaſed to declare a Reſolution, not to infringe our juſt Rights and Privileges, we, your Majeſty's moſt dutiful and loyal Commons, were encouraged to make an humble Repreſentation to your Majeſty upon the Choice of our Speaker, which on Tueſday laſt was preſented by ſome of our Members: We do, with great trouble and infinite ſorrow, find by the Report made to us by thoſe Members, at their Return, that your Majeſty was pleaſed to give us an immediate Anſwer to the ſame, without taking any farther conſideration; which, we are perſuaded, if your Majeſty had done, what we then offered to your Majeſty would ſo far have prevailed upon your royal Judgment, as to have given your Majeſty ſatisfaction in the Reaſonableneſs of our Deſire; and preſerved us in your Majeſty's favourable Opinion of our Proceedings. And ſince we do humbly conceive, that the Occaſion of this Queſtion hath ariſen from your Majeſty's not being truly informed of the State of the Caſe; we humbly beſeech your Majeſty, to take the ſaid Repreſentation into your farther conſideration, and give us ſuch a gracious Anſwer, that we may be put in a capacity to manifeſt our Readineſs, to enter into thoſe Conſultations, which neceſſarily tend to the Preſervation and Welfare of your Majeſty and your Kingdoms.'

Upon reading this Addreſs to the King, he immediately gave this quick and ſharp Return; 'Gentlemen, I will ſend 'you an Anſwer to-morrow.' Accordingly, as he had often done before upon great Difficulties, he reſolved to put an end to the Diſpute; and on the next Morning, being Thurſday the 13th of March, he came to the Houſe of Peers, and ſending for the Commons, he immediately prorogued the Parliament till the Saturday following, after the Commons had ſat without a Speaker but ſix Days. And thus the King found a way to gain his Point, but with very little advantage to his own Buſineſs and Affairs.

The King prorogues the Parliament.

The ſecond Seſſion.

On the appointed Day, March 15th, his Majeſty came to the Houſe of Peers in his Royal Robes, and the Houſe of

of Commons attending, his Majeſty was pleaſed to put both Houſes in mind of what he ſaid to them, at the Opening of the Parliament: And then the Lord Chancellor, by the King's Command, directed the Commons to return to their Houſe, and to proceed to the Choice of a Speaker. And, being returned, the Lord Ruſſel put the Houſe in mind of the King's Commands, and immediately recommended William Gregory Serjeant at Law, as a Perſon for his great Learning and Integrity, fit for the Employment. And Mr. Serjeant Gregory being unanimouſly called upon to the Chair, he in a ſhort Speech modeſtly excuſed himſelf, and deſired of the Houſe, that another might be nominated; but no Excuſe being admitted, he was formally conducted to the Chair, by his two intimate Friends, the Lord Ruſſel and the Lord Cavendiſh, and there confirmed in the Place.

Serjeant Gregory choſen Speaker.

On the Monday following, he was preſented by the Commons to the King, in the Houſe of Lords, who without heſitation approved of the Choice.

The Houſe of Commons appeared reſolved, to purſue the latter Meaſures taken in the former Parliament, and therefore on Wedneſday the 19th of March, They reſolved, 'That a Committee be appointed to inſpect the Journals of the laſt Seſſion of the laſt Parliament, and to prepare and draw up a State of the Matters then depending, and undetermined, and the Progreſs that was made therein.'

A Comittee of Secrecy appointed.

And on the next day, they *Reſolved*, That a Committee of Secrecy be appointed to take Informations, and prepare Evidence, and draw up Articles againſt the Lords that are impeached, and that are now in the Tower, and to take ſuch farther Informations as ſhall be given, relating to the Plot and Conſpiracy againſt his Majeſty and the Government, and the Murder of Sir Edmund-bury Godfrey. And then, to be yet more particular, they immediately after *Reſolved*, that a Meſſage be ſent to the Lords to put them in mind of the Impeachment of High-Treaſon, exhibited againſt Thomas Earl of Danby, in the Names of the Commons of England; and to deſire that he may be committed to ſafe Cuſtody: *Reſolving* again, that it be referred to the Committee of Secrecy, to draw up farther Articles againſt him. However, the Letters produced againſt the Earl being written by the King's particular Command, and ſome private Papers being neceſſary for his Defence, which his Majeſty would not ſuffer to be made public; he at laſt reſolved to adhere to the Benefit of his Pardon, and hoping his Abſence might allay the Storm, thought fit to withdraw.

A Reſolution to remind the Lords, of the Impeachments againſt the Earl of Danby.

And that nothing might be wanting to proſecute the Plot, the Murder, and this Nobleman, all countenance was given to the Plot-Diſcoverers; and on the 21ſt of March, Dr. Tongue

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Tongue and Mr. Oates were called before the Commons, to give in their Informations concerning the Plot, &c. and the latter gave in an Information, not only againſt Thomas Earl of Danby, but alſo againſt Sir John Robinſon, Colonel Edward Sackville, and Captain Henry Goreing, all three Members of the Houſe of Commons: Which raiſed a new Flame in that place.

Oates and Bedloe's Informations.

On the ſame day, Bedloe likewiſe delivered in his Information; upon which the Houſe *Reſolved*, That an humble Addreſs be made to his Majeſty, That the five hundred Pounds Reward, promiſed by his Proclamation, for the Diſcovery of the Murder of Sir Edmund-bury Godfrey, may be forthwith paid to Mr. Bedloe, who, this Houſe is ſatisfied, is to be the firſt Diſcoverer thereof: And that his Majeſty would farther be pleaſed to order, that the twenty Pounds Reward, for the Diſcovery of every Prieſt, may be effectually paid to the Diſcoverers of them.

At the ſame time, in another Addreſs, they deſired his Majeſty, That the Care of Mr. Bedloe's Safety may be immediately recommended to his Grace the Duke of Monmouth, which was carried up by the Lord Cavendiſh, Sir Henry Capell, Mr. Booth, Mr. Powle, Sir Robert Carr, Sir John Ernley, and Sir William Portman.

The King gave a preſent Anſwer.

The King's Anſwer.

'That he would take immediate care for the Payment of 'the five hundred Pounds, and the twenty Pounds they de- 'ſired: That he had hitherto taken all the care he could of 'Mr. Bedloe, and that he knew how conſiderable his Evi- 'dence was, and that he would ſee hereafter, that he ſhould 'want for nothing: And that he would be reſponſible for 'him, whilſt he remained in Whitehall; but that he could 'not be anſwerable for him when he went abroad.'

Beſides theſe, there appear'd one Mr. Edmund Everard, a Scotch Gentleman, who had been four Years Priſoner in the Tower, who, as Mr. Echard phraſes it, making ſome *old* Diſcoveries, was encouraged, as Oates before him, to put the whole into a formal Narrative.

The Plot voted to be real.

Upon the whole, they came to this unanimous grand *Reſolve*, ſomething like that in the laſt Parliament, *viz.* 'The Houſe doth declare, that they are fully ſatisfied by the Proofs they have heard, that there now is, and, for divers Years laſt paſt, hath been, a horrid and treaſonable Plot and Conſpiracy, contrived and carried on by thoſe of the Popiſh Religion, for the murdering his Majeſty's ſacred Perſon, and for ſubverting the Proteſtant Religion, and the ancient and well-eſtabliſhed Government of this Kingdom.' To this Vote they deſired the Concurrence of the Lords, as they likewiſe did,

did to a particular Addreſs to his Majeſty for appointing a ſolemn Day of Humiliation; 'being deeply ſenſible of the ſad and calamitous Condition of your Majeſty's Kingdom, occaſioned chiefly by impious and malicious Conſpiracies of a Popiſh Party, who have not only plotted and intended the Deſtruction of your Majeſty's Royal Perſon, but the total Subverſion of the Government, and true Religion eſtabliſhed among us.'

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An Addreſs for a Faſt.

Afterwards they expreſs themſelves thus:

'That we may, by Faſting and Prayer, and with humble and penitent Hearts, ſeek Reconciliation with Almighty God, and implore him by his Power and Goodneſs, to infatuate and defeat the wicked Counſels and Imaginations of our Enemies, and continue his Mercies and the Light of his Goſpel to us and our Poſterities; and particularly, to beſtow his abundant Bleſſings upon your ſacred Majeſty, and this preſent Parliament, *&c.*

Accordingly his Majeſty commanded a general and public Faſt, to be kept throughout the Kingdom on the 11th of April, beginning his Proclamation for it, as he generally did upon ſuch an Occaſion, with mentioning and alledging the Deſire of the Lords and Commons in Parliament aſſembled.'

A general Faſt proclaimed.

During this Height of Zeal, the Commons, on March 22d, ordered a Bill to be brought in, to ſecure the King and Kingdom againſt the Danger and Growth of Popery. And being commanded, at the ſame time, to attend his Majeſty in the Houſe of Peers, the King ſpoke to them in favour of the Earl of Danby: but returning to their Houſe, they preſently *Reſolved*,

'That a Meſſage be immediately ſent to the Lords, to remind their Lordſhips of the laſt Meſſage ſent them from this Houſe, relating to Thomas Earl of Danby; and to demand that he may be forthwith ſequeſtred from Parliament, and committed to ſafe Cuſtody.'

A Meſſage againſt Lord Danby.

Upon which extraordinary Requeſt, the Lords deſired a preſent Conference: But the Commons returned anſwer, 'That it was not agreeable to the Uſage and Proceedings of Parliament, for either Houſe to ſend for a Conference, without expreſſing the ſubject Matter of it.'

Upon a ſecond Meſſage, wherein the Earl of Danby was mentioned, they met the Lords in the Painted-Chamber, where the Duke of Monmouth ſpoke as follows:

'I am commanded by the Lords to acquaint you, that their Lordſhips, having taken into their Conſideration Matters relating to the Earl of Danby, together with what his Majeſty was pleaſed to ſay upon that Subject, have ordered that a Bill be brought in, by which Thomas Earl of Danby

A Conference about him.

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may be made for ever incapable of coming into his Majesty's Presence, and of all Offices and Employments, and of receiving any Gifts or Grants from the Crown, and of sitting in the House of Peers.

In the mean time, the Commons, hearing that the King had signed a Pardon for the Earl, appointed a Committee to repair to the several Offices, (at neither of which no Entry of it had been made) and particularly to the Lord-Chancellor to enquire into the Manner of suing out that Pardon.

The Lord Chancellor's Account of the Pardon granted that Lord.

Whereupon the Lord-Chancellor, (after premising, that he neither advis'd, drew, or alter'd it) informed the Committee, 'That the Pardon was passed with the utmost Privacy, at the Desire of the Earl, who gave this Reason for it, That he did not intend to make use of it, but to stand upon his Innocence, except false Witnesses should be produced against him; and then he would make use of it at the last Extremity. That he advised the Earl to let the Pardon pass in the regular Course; but, after consulting with the King, his Majesty declared he was resolved to let it pass with, all privacy: And, suddenly after, the King commanded the Lord-Chancellor to bring the Seal from Whitehall, and, being there, he laid it upon the Table; thereupon his Majesty commanded the Seal to be taken out of the Bag, which his Lordship was obliged to submit unto, it not being in his power to hinder it; and the King wrote his Name upon the Top of the Parchment, and then directed to have it sealed: whereupon the Person that usually carried the Purse, affixed the Seal to it.' The Chancellor added, 'That, at the very Time of affixing the Seal to the Parchment, he did not look upon himself to have the Custody of the Seal.

Upon reading this Report, the House fell into a violent Heat and Debate; and of those that spoke, we must not omit Mr. Powle's severe Speech, who naming the Earl of Danby, proceeded thus:

Mr. Powle's Speech against him.

'The Person to whom we owe the Dangers and Fears of the French King against us: The Person to whom we owe the Threats and severe Answers to those humble Addresses we made the last Session of Parliament: The Person to whom we owe the Ruin of this Nation, and exhausting the King's Revenue: The Person to whom we owe the Expence of two hundred thousand Pounds a Year unaccounted for: The Person to whom we owe the raising of a Standing-Army, to be kept up by the Receipt of six Millions of Livres Yearly, for three Years, to enslave us and our Religion: The Person to whom we owe the late Bone that was thrown in on the Sitting of the last Parliament, to hinder the good Issue that might have come by their Proceedings; who is now laying down his Staff, and making up his Accounts in the Treasury as he pleases, to enrich

rich himſelf out of the Spoils of the People, and ſo depart.' At the Concluſion of the Debate, Reſolved *nem. con.* 'That a Meſſage be ſent to the Lords to demand Juſtice, in the Name of the Commons of England, againſt Thomas Earl of Danby; and that he may be immediately ſequeſtered from Parliament, and committed to ſafe Cuſtody. They likewiſe *Reſolved*, That an humble Addreſs be made to his Majeſty, repreſenting to his Majeſty, the Irregularity and Illegality of the Pardon, mentioned by his Majeſty to be granted to the Earl of Danby, and the dangerous Conſequence of granting Pardons, to any Perſons that lie under an Impeachment of the Commons of England.'

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The Houſe reſolve to demand Juſtice againſt him, and declare his Pardon illegal.

Mar. 25. The Lords ſent a Meſſage to acquaint the Houſe of Commons, 'That they had ſent to apprehend Thomas Earl of Danby both to his Houſe here in Town, and to his Houſe at Wimbleton; and that the Gentleman-Uſher of the Black Rod had returned their Lordſhips Anſwer, that he could not be found?' Whereupon the Commons reſolving not to be defeated, ordered, 'That a Bill be brought in to ſummon Thomas Earl of Danby, to render himſelf to Juſtice by a certain Day, to be therein limited; or in default thereof, to attaint him.' Then to render him more obnoxious, Bedloe came before the Houſe, and made a great complaint of the harſh Uſage and Diſcouragements he had met with from the Earl, when Treaſurer; ſetting forth upon Oath, 'That, going to him for ſome Money, by virtue of an Order from the Council, his Lordſhip took him into his Cloſet, and asked him, whether the Duke of Buckingham, or Lord Shaftesbury, or any of the Members of the Houſe of Commons, had deſired him to ſay any thing againſt him, and to tell him who they were, and he would well reward him; and to know if he would deſiſt from giving Evidence againſt the———and the Lords in the Tower, *&c.* To which Bedloe, anſwered, that he had once been an ill Man, but deſired to be ſo no more. To which the Earl replied, you may have a great Sum of Money, and live in another Country, as Geneva, Sweden, or New-England; and ſhould have what Money he would ask to maintain him there. But He, Bedloe, refuſing all ſuch Temptations, his Lordſhip began to threaten him, ſaying, There was a Boat and a Yacht to carry him far enough from telling of Tales: And after this, the Guards were as Spies upon him, and he was very ill uſed, till by their Addreſs to the King the ſame was remedied, and better care was taken.' And at the ſame time appeared Oates in the Houſe, who declared, 'That, being one day in the Privy Garden, the Earl of Danby paſſing by, reflected upon him, and ſaid, There goes one of the Saviours of England, but I hope to ſee him hanged within a Month.'

The Lords acquaint the Commons that Lord Danby had made his Eſcape.

The Commons reſolve to attaint the Earl of Danby.

Bedloe's Narrative of the ill Uſage he receiv'd from him.

And Oates's.

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And likewiſe, at the ſame time, Oates gave his Teſtimony againſt Colonel Sackville, a Member of the Houſe formerly mentioned, declaring that he ſaid, That they were Sons of Whores, who ſaid there was a Plot, and that he was a lying Rogue that ſaid it.' Whereupon the Colonel was immediately ſent to the Tower, and ordered to be expelled the Houſe with a Petition to the King to be made incapable of bearing any Office. But in a ſhort time, upon his Submiſſion he was diſcharged from his Impriſonment, but not reſtored to his Seat in the Houſe.

Colonel Sackville expell'd.

A Conference about the Earl of Danby.

On the 4th of April, there was a Conference between the two Houſes, in the painted Chamber, concerning the Bill ſent up againſt the Earl of Danby; where the Earl of Angleſey, Lord Privy Seal, delivered himſelf to this effect, being the chief Manager for the Peers;

The Bill againſt him return'd by the Lords, with Amendments.

'That the Lords choſe to deliver back this Bill by Conference, rather than Meſſage, to preſerve a good Underſtanding, and prevent Debate and Controverſy between them. The Lords obſerve, that the greateſt Affairs of the Nation are at a ſtand, at a time of the greateſt Danger and Difficulty, that this Kingdom ever laboured under: That the King hath always in his Reign inclined to Mercy and Clemency to all his Subjects: Therefore to a King ſo merciful and compaſſionate, the firſt Interruption of his Clemency they did deſire ſhould not proceed from the two Houſes preſſing the King to an Act of the greateſt Severity; therefore they have paſſed the Bill with ſome Amendments, which he delivered to them.'

The Commons were no way ſatisfied with the Lords Proceedings, therefore drew up Reaſons againſt them, to be offered in another Conference, which were as follow:

The Commons Objections.

'The Addition of the Title does ſhew, that the Amendments made by your Lordſhips to the Bill do wholly alter the Nature of it, and from a Bill of Attainder have converted it to a Bill of Baniſhment, which the Commons cannot conſent to for theſe Reaſons:

1ſt, That Baniſhment is not the legal Judgment in Caſes of High-Treaſon; and the Earl of Danby being impeached by the Commons of High-Treaſon, and fled from Juſtice, hath hereby confeſſed the Charge, and therefore ought to have the Judgment of High-Treaſon for the Puniſhment.

2d, That Baniſhment being not the Puniſhment the Law inflicts upon thoſe Crimes, the Earl of Danby might make uſe of this Remiſſion of his Sentence as an Argument, That either the Commons were diſtruſtful of their Proofs againſt him, or elſe that the Crimes are not in themſelves of ſo high a nature as Treaſon.

3d, That the Example of this would be an encouragement to all Perſons that ſhould be hereafter impeached by the Commons, to withdraw themſelves from Juſtice, which they would be always ready to do, if not prevented by a Commitment upon their Impeachment, and therefore hope to obtain a more favourable Sentence in a legiſlative way, than your Lordſhips would be obliged to paſs upon them in your judicial Capacity. Anno 32 Car. II. 1680.

Upon the reading of this Paper, they immediately reſolved, that an Addreſs be preſented to his Majeſty, that he would iſſue out his Royal Proclamation for apprehending of Thomas Earl of Danby; and to command all Miniſters of Juſtice to uſe Diligence to apprehend him, and to forbid all Subjects to harbour him; and to require all Officers of the Houſhold to take care that no Perſon ſuffer him to conceal himſelf in any of the King's Palaces. An Addreſs for a Proclamation to apprehend Lord Danby.

On the ſame day, April 8th, they had a ſecond Conference with the Lords upon the ſame Caſe, where the Earl of Huntingdon managed for the Houſe of Peers, and what he delivered was to this effect: A ſecond Conference.

'The Lords have deſired this Conference with the Commons, not ſo much to argue and diſpute, as to mitigate and reconcile: They have already obſerved, That the Debates of this Bill have given too long, and too great an Obſtruction to public Buſineſs; and therefore they deſire you to believe, that that is the reaſon which hath chiefly prevailed with their Lordſhips in a matter of this nature. And upon this ground it is, that if a way may be found to ſatisfy and ſecure the public Fears, by doing leſs than the Bill you have propoſed, the Lords do not think it adviſeable to inſiſt upon the utmoſt and moſt rigorous Satisfaction to public Juſtice, which might be demanded. To induce you to this Compliance, the Lords do acknowledge, that Baniſhment is ſo far from being the legal Judgment in caſe of High-Treaſon, that it is not the legal Judgment in any caſe whatſoever, ſince it can never be inflicted but by the legiſlative Authority: But they ſee no reaſon why the legiſlative Authority ſhould always be bound to act to the utmoſt extent of its Power; for there may be a prudential Neceſſity ſometimes of making Abatements, and it might be of fatal conſequence, if it ſhould not be ſo. And the Lords, to remove all Jealouſies of the Precedents of this kind, do declare, that nothing which hath been done in the Earl of Danby's caſe, ſhall ever be drawn into Example for the time to come, and will ſo enter it upon their Journal. And thereupon their Lordſhips inſiſt upon their Amendments ſo far, as to exclude all Attainders; and do promiſe themſelves the Commons will in this Point comply with their Lordſhips, who do again aſ-

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sure them, That their Resolutions are grounded only upon their Tenderness, and the Consideration of the Public.'

A third and free Conference.

This being not satisfactory, a third and free Conference was held two Days after, in which the Lord Privy-Seal said:

'That the House of Commons might see by the present quick free Conference, which the Lords desired, that their Lordships did shew their willingness, by using all means possible to reconcile both Houses, and to come to such an Understanding, as to pass the Bill with all Expedition. He owned the Cogency of the Commons Reasons, and therefore the Lords were content to make the Bill absolute, without giving the Lord Danby any day to appear, and the Penalties to continue. He observed, that, by the passing of this Bill, he would not only be ruined, together with his Family, but likewise those Acquisitions which he got by the Marriage into a noble Family, would be lost. And if the House of Commons would have any other Penalties added to the Bill, their Lordships would leave it to them, provided they run not to the absolute Destruction of the Lord impeached.' He took notice, 'That altho' Reason and Justice were of the Commons side, yet in a legislative Capacity, they were to consider Circumstances with relation to the good of the Public. That in this Affair they had gained two great Points; the first was, 'That Impeachments made by the Commons in one Parliament, continue from Session to Session, and Parliament to Parliament, notwithstanding Prorogations or Dissolutions: The other Point was, That in Cases of Impeachment upon special Matter shewn, if the Modesty of the Party impeached directs him not to withdraw, the Lords admit that of right they order him to withdraw, and that afterwards he must be committed. But without special Matter alledged, he said, he did not know how many of their Lordships might be picked out of the House of a sudden.'

The Earl of Shaftesbury, now in a way of Preferment in Court, declar'd:

'They were as willing to be rid of the Earl of Danby, as the Commons; but he let them know, That the Expression which was sent with Reasons from the Lords the other day, namely, That the Lords would not draw into Example the Proceedings of the Earl of Danby, but would vacate them; they intended that to extend only to the Points of not withdrawing and not committing. He likewise declared, That the way now proposed would be a means to have the Bill pass; for the Commons might have other Penalties if they would, as Confiscation of Estate, Loss of Honours, &c. Therefore he desired the Commons to consider, that there were

were weighty Reasons, which were better understood than expressed, that proved it necessary for the good of the Public, that this Bill should speedily pass.' Anno 31 Car. II. 1679.

The Commons replied, 'That they hoped their Lordships did not think, they took it as if they had now gained any Point; for the Points, which their Lordships mentioned as gained, were nothing but what was agreeable to the ancient Course and Methods of Parliament.'

Mr. Edward Vaughan in particular urged and reinforced the Reasons offered at a former Conference. Mr. Vaughan.

'That Reason and Justice being for the Bill as they sent it up, they could not yet doubt the Lords Concurrence.

'They hoped that their Lordships, who are Judges for the Kingdom, and not only for themselves, will follow the Example of their Ancestors, and proceed by Rules of Law, which are to guide in passing Acts of Parliament, as well as in the ordinary Course of Judicature.'

Sir Francis Winnington urged Precedents for the like Attainder, old and new, and added these Reasons: Sir F. Winnington.

'1. For the Lords to change the Punishment, when he appears, he may say, that the Commons, agreeing to a Composition, admit their Proofs are not full for Treason.

'2. Though we thirst not after Blood, and might have consented to a Bill that gave him not Advantage instead of Punishment, as this by the Amendments would do; yet, as it is, we cannot consent for that Reason.

'3. The Earl punishes himself; our Bill is not rigorous, but according to the Rules of Justice against a Person impeach'd, and dares not abide his Trial.

'4. Flight is odious in the eye of the Law.

'5. This would shew as if different Degrees of Persons should have different Degrees of Justice. Would your Lordships so make Provision for a flying Commoner? Besides, this is not the Flight of an innocent Moses from the Egyptians, but of a wicked Cain out of the sense of his Guilt.'

Mr. Powle spoke next, and said, Mr. Powle.

'There are but two Reasons why Punishment should be mitigated.

'1. When a Man seems penitent; whereas this Man affronts the Justice of King and Parliament, and lurks hereabouts, doing ill Offices, and hindring the great Affairs of the Kingdom.

'2. When a Man merits Favour in his Office; but we cannot find one good thing he ever did, whilst he was in Power and Place.'

Mr. Sacheverel added, Mr. Sacheverel

'It is but a Bill of Summons, to keep him from perfecting his Treasons abroad, and continuing his Enmity to his Country;'

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try; but, as your Lordſhips have made it, it is an Act of Indemnity and Safety to him; giving him leave to go to repair the little Loſs he is under here, by the Favour of thoſe beyond Sea, whom he hath ſerved againſt his Country.'

Mr. Vaughan.

Mr. Vaughan concluded, ſaying; 'That Juſtice ſhould have its Courſe, is the prime Conſideration: The Earl ſtops all himſelf, therefore he ſhould not have benefit thereby, but ought to find that Juſtice will be too hard for his Evaſions.'

Then they delivered the Bill again to the Lords, with their Amendments, with Expreſſion of Hopes and Deſire of their Concurrence with them, that Juſtice may have its courſe and the great Affairs of Parliament be no longer obſtructed by ſpending more Time on him, who hath brought the Kingdom into ſo ſad a Condition.

The Attainder Bill paſſes againſt him.

And thus they ſo immoveably adhered to their own Bill of Attainder, that, within two or three days time, the Lords thought fit to give way to the Heat of the Seaſon, and paſſed the Bill, in which the 21ſt of April was appointed for the Earl's ſurrendring himſelf to trial.

The Earl ſurrenders himſelf.

[The Earl finding himſelf reduced to this Extremity, rather than riſk the Miſchiefs that might happen to himſelf or to the King, if he ſhould refuſe to paſs the Bill, on the 15th of April ſurrendered himſelf to the Uſher of the Black Rod, which was ſignify'd to the Commons, the next Day.]

The five Popiſh Lords put in their Anſwers.

The 16th, The Houſe was inform'd by a Meſſage from the Lords, That all the five Peers, lately committed to the Tower, had brought their Anſwers to the Impeachment againſt them, in Perſon, except the Lord Bellaſis. Upon which a Debate aroſe, Whether the ſaid Lord Bellaſis, having not in Perſon deliver'd his Anſwer, was actually and legally arraign'd. And a Committee was order'd to inſpect the Entries that had been made in the Lords Journals touching the Appearance and Arraignment of the five Lords, and give in their Report the next Day.

A Supply voted.

The ſame day, The Houſe Reſolved, That a Supply ſhould be granted to his Majeſty of 206,462 *l.* 17 *s.* 3 *d.* for the paying off, and diſmiſſing all the Forces then in Arms, rais'd or brought over from foreign Parts, to be rais'd by ſix Months Tax.

And appropriated.

The next day, a Clauſe was order'd to be added to the ſaid Reſolution, to appropriate the Money to that Uſe only with Penalties upon ſuch Perſons as ſhould direct the ſame. And, a Motion being made, That the ſaid Supply ſhould be paid into the Exchequer, the Houſe divided, and it paſs'd in the Affirmative, Noes 131, Yeas 191.

The ſame day, the Report of the Committee, appointed to inſpect the Lords Journals was deliver'd in by Mr. Hampden in effect as follows, *&c.*

That

That April 8. The Lord Shaftsbury reported from the Committee of Privileges, That their Lordships were of Opinion, that the Lords now Prisoners, ought to be brought to the Bar, and kneel there, and then stand up, and hear the Articles against them read. Which was order'd by the House accordingly.

Mr. Hampden's Report of the Contents of the Lords Journals, relating to the five popish Lords.

That April 9. The Lords Powis, Stafford, Petre, and Arundel of Wardour did appear at the Bar of the House, where they heard the Articles against them read, and were told, his Majesty would appoint a Lord High-Steward for their Trials.

That, then, the Lords, having put in several Requests, withdrew, and, being call'd in again, were told by the Lord-Chancellor, That the House had order'd the several Indictments brought against them by the Grand Jury, should be brought into that Court by Writ of Certiorari, that their Lordships should be allow'd Copies of the Articles against them, that till the 15th would be given them for their Answers, and farther Time, in case any new Articles were alledg'd; with Liberty to take out Copies of Records, Journals, &c.

That, then, they find notice taken, that Lord Bellasis had not appear'd at the Bar. And that Thomas Plessington, and Robert Dent, being sworn, had attested that his Lordship was so ill of the Gout, that he could not turn in his Bed without Help: Which reasonable Excuse being allow'd, the said Thomas Plessington, in behalf of his Lordship, desir'd a Copy of the Articles exhibited against his Lordship, with Council, &c. which Particulars were all granted.

That April 15. being appointed for the said Lords, to put in their Answers, they were order'd to be brought to the Bar of the House, for that Purpose, and that Lord Bellasis was permitted to deliver in his Answer in Writing.

The Commons, then, order'd the Answers of the said Lords, to be inspected by the Committee of Secrecy: Who were farther to consider the Methods of Proceeding upon Impeachments, and give in their Report accordingly.

The 21st, His Majesty, by Message, commanded the Commons to attend him, in the House of Peers, where he express'd himself, as follows:

'My Lords and Gentlemen,

'I Thought it necessary to acquaint you what I have done this Day; which is, that I have establish'd a new Privy-Council, the constant Number of which, shall never exceed Thirty. I have made choice of such Persons as are worthy and able to advise me; and am resolv'd in all my weighty and important Affairs, next to the Advice of my great Council in Parliament, which I shall often consult with,

The King's Speech to the Parliament, on declaring a new Privy-Council.

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'with, to be advis'd by this Privy-Council. I could not 'make ſo great a Change without acquainting both Houſes 'of Parliament: And I deſire you all to apply yourſelves 'heartily, as I ſhall do, to thoſe Things which are neceſſary 'for the Good and Safety of the Kingdom, and that no 'Time may be loſt in it.'

Sir John Trevor's Report, from the Committee, concerning the Anſwers of the Lords.

The 23d. Sir John Trevor gave in the following Report from the Committee appointed to inſpect the Anſwers of the five Lords, and the Methods of Proceeding upon Impeachments.

'That it is the Opinion of the Committee, that the Lord Bellaſis being impeach'd of High-Treaſon, cannot make any Anſwer but in Perſon.

'That the ſeveral Writings, put in by the Lords Powis, Stafford, and Arundel of Wardour, are not Pleas, and Anſwers, but argumentative, evaſive; and, to which the Commons neither can, or ought to reply.

'That, if the Anſwers of the ſaid Lords, as well as that of the Lord Petre, were ſufficient, Proceedings ought to be ſtopt, till the Lord Bellaſis, had alſo put in a ſufficient Anſwer in Perſon.

'That the Commons do demand of the Lords, that their Lordſhips would forthwith order the ſaid Lords to put in their perfect Anſwers; or, in default thereof, that the Commons may have Juſtice againſt them.'

The next day, the ſaid Report being approv'd by the Houſe, a Conference was deſir'd with the Lords, at which, the Anſwers of the five Peers were return'd, together with the Reaſons of the Commons for their Inſufficiency: To which was added by Order that the Houſe deſir'd their Lordſhips would appoint a ſhort Day for the ſaid Peers to put in their effectual Anſwers.

A ſhort Day required for the 5 Lords to put in their Anſwers.

Lord Danby's Plea, and Lord Bellaſis's Anſwer, ſent down to the Commons.

The 25th. The Lords, by Meſſage, acquainted the Houſe, that the Earl of Danby had put in his Plea, and the Lord Bellaſis his Anſwer, in Perſon, at the Bar of the Houſe of Lords; which ſaid Plea, and Anſwer, the Lords ſent down at the ſame time, deſiring they might be return'd with all convenient Speed.

Mr. Rigby's Report, from the Committee appointed to enquire into the late Fires, &c.

The 26th, Mr. Rigby, from the Committee appointed to enquire into the late Fires, that had happen'd in, and about the City of London, gave in a Report, to the following Purport.

'That on the 24th of Feb. about midnight, a Fire broke out at one Mr. Bird's in Fetter-Lane; which was diſcover'd by the Watch. That a Servant of the ſaid Bird's, one Elizabeth Oxley, at the ſame time, came to her Maſter's Chamber, with an Alarm of Fire, which was ſoon after found to have begun

b gun in a Closet full of Books and Papers; tho' all was safe there, when the said Bird went to Bed. That, after the Fire was extinguish'd, Mrs. Bird going up into her Servant's Room, to see if all was safe there, found the Clothes of her two Maids ready bundled up, with other corresponding Circumstances; which creating some Suspicion, the said Bird secur'd the said Oxley, in order for Examination the next Day, (his other Maid, utterly denying all Knowledge of the bundling up the Clothes, *&c.*) That, accordingly being examin'd, the said Oxley confess'd her setting fire to the Papers in the Closet after the Family was asleep: That she did it at the Instigation of one Stubbs, a Papist, who gave her Half-a-Crown in Hand, *&c.* with a Promise of 5*l.* more.

'That the said Stubbs, being taken into Custody, and examin'd, did confirm all that Oxley had advanc'd; adding farther, that he was employ'd in the Business by one Father Gifford, a Priest, who held it was no Sin to burn the Houses of Heretics. That he had drawn in several to be his Accomplices: That he was to receive 100*l.* of the said Gifford, who was to be supply'd with the Money, by the Church . . . That the said Stubbs, moreover, confess'd several other Particulars relating to a general Massacre of the Protestants, which was to be cover'd by an Invasion from France: That he expected to be made an Abbot or Bishop for his good Services: That he had been taught, 'twas no more Sin to kill a Heretic, than a Dog: That he was sworn to Secrecy: That he was told he should be damn'd if he made a Discovery; and, that when all their Forces met, in the middle of June, the Word was, *Have at the King.*'

The House then resolv'd that an Address should be presented to his Majesty, for a Pardon for the said Stubbs, and Oxley, in Consideration of the Discovery they had made; As, likewise for a Proclamation, requiring the Persons nam'd by the said Stubbs, as Accomplices, to render themselves at a short day.

The same Day, The Lords, by Message, acquainted the House, that the Lords Stafford, Arundel of Wardour, and Powis, had that day retracted their former Pleas, and put in others, which were sent down with a Request, that they might be return'd with all convenient Speed.

The Lords Stafford, Arundel, and Powis, retract their Pleas, and send in others.

The 27th, being Sunday, the House *Resolved, nem. con.* That the Duke of York's being a Papist, and the Hopes of his coming such to the Crown, has given the greatest Countenance and Encouragement to the present Conspiracies and Designs of the Papists, against the King and Protestant Religion. To which, the Concurrence of the Lords was desired.

The grand Resolve, relating to the Duke of York.

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The 28th, the Committee of Secrecy, which were appointed to examine and peruſe the Nature of the Earl of Danby's Plea, made this Report:

The Report of the Committee appointed to inſpect the Earl of Danby's Plea of Pardon.

'1. We find no Precedent that ever any Pardon was granted, to any Perſon impeached by the Commons for High Treaſon, or other high Crimes depending in the Impeachment.

'2. As to the Manner of paſſing the Earl of Danby's Pardon, it hath been formerly reported to the Houſe, and the Committee refer themſelves to that Report.

'3. That by what Means it was obtained, the Time allowed the Committee hath been ſo ſhort, that we cannot as yet diſcover the Adviſers or Promoters thereof, any farther than what is mentioned in the ſaid Report, relating to the Lord-Chancellor.'

Whereupon the Houſe *Reſolved*, 'That a Meſſage be ſent to the Lords, to deſire their Lordſhips to demand of the Earl of Danby, Whether he will rely upon, and abide by the Plea of his Pardon.'

The next day, the King returned this Anſwer to the Commons Addreſs for the Execution of Pickering and other Prieſts:

The King's Anſwer to the Addreſs for the executing certain Prieſts.

'Gentlemen,

'I have always been tender in Matters of Blood, which 'my Subjects have no reaſon to take exception at: But this 'is a Matter of great weight, I ſhall therefore conſider of 'it, and return you an Anſwer.'

After which, ſeveral Things being prepared by the new Privy Council, (which the King had lately eſtabliſhed, in compliance with the Temper of the Times) in order to eaſe the Minds of the People, now variouſly agitated,

His Majeſty came to the Houſe of Peers on the 30th of April, and ſending for the Commons, made this ſhort Speech to both Houſes:

The King's ſecond Speech to both Houſes.

'My Lords, and Gentlemen,

'THE Seaſon of the Year advancing ſo faſt, I thought 'it neceſſary to put you in mind of three Particulars.

'1. The Proſecution of the Plot.

'2. The disbanding of the Army:

'3. The providing a Fleet for our common Security.

'And to ſhew you, that whilſt you are doing your Parts, 'my Thoughts have not been miſemployed; but that it is 'my conſtant Care to do every Thing that may preſerve 'your Religion, and ſecure it for the future in all Events, 'I have commanded my Lord-Chancellor to mention ſeveral 'Particulars: which I hope will be an Evidence, that in all

'Things

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'Things that concern the public Security, I shall not follow your Zeal, but lead it.'

Accordingly the Lord-Chancellor made this following Speech, which is here inserted without any Abridgment:

The Lord-Chancellor's second Speech.

'My Lords, and you the Knights, Citizens and Burgesses of the House of Commons, That Royal Care which his Majesty hath taken for the general Quiet and Satisfaction of all his Subjects, is now more evident by these new and fresh Instances of it, which I have in command to open to you. His Majesty hath considered with himself, that it is not enough that your Religion and Liberty is secure during his own Reign, but he thinks he owes it to his People to do all that in him lies, that these Blessings may be transmitted to your Posterity, and so well secured to them, that no Succession in After-Ages may be able to work the least Alteration. And therefore his Majesty, who hath often said in this Place, That he is ready to consent to any Laws of this Kind, so that the same extend not to alter the Descent of the Crown in the right Line, nor to defeat the Succession, hath now commanded this to be farther explained.

'And to the end it may never be in the power of any Papist, if the Crown descend upon him, to make any Change either in Church or State; I am commanded to tell you, that his Majesty is willing that Provision may be made, first to distinguish a Papist from a Protestant Successor; then to limit and circumscribe the Authority of a popish Successor, in these Cases following, that he may be disabled to do any Harm: First, in reference to the Church; his Majesty is content that care be taken, that all ecclesiastical and spiritual Benefices and Promotions in the Gift of the Crown, may be conferred in such a Manner, that we may be sure the Incumbents shall be always of the most pious and learned Protestants: And that no popish Successor, while he continues so, may have any Power to control such Presentments. In reference to the State, and Civil Part of the Government; as it is already provided, That no Papist can sit in either House of Parliament; so the King is pleased that it be provided too, that there may never want a Parliament, when the King shall happen to die, but that the Parliament then in being may continue indissolvable for a competent Time; or if there be no Parliament in being, then the last Parliament which was in being before that Time, may re-assemble, and sit a competent Time, without any new Summons, or Elections. And as no Papist can by Law hold any Place of Trust, so the King is content that it may be farther provided, that

no

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no Lords or others of the Privy-Council, no Judges of the Common-Law, or in Chancery, ſhall at any Time, during the Reign of a Popiſh Succeſſor, be put in, or diſplaced but by the Authority of Parliament: And that care be taken that none but ſincere Proteſtants may be Juſtices of the Peace. In reference to the military Part, the King is willing that no Lord-Lieutenant, or Deputy-Lieutenant, nor no Officer in the Navy, during the Reign of any popiſh Succeſſor, be put out or removed, but either by the Authority of Parliament, or of ſuch Perſons as the Parliament ſhall intruſt with ſuch Authority.

'It is hard to invent another Reſtraint to be put upon a Popiſh Succeſſor, conſidering how much the Revenue of the Succeſſor will depend upon the Conſent of Parliament, and how impoſſible it is to raiſe Money without ſuch Conſent. But yet, if any thing elſe can occur to the Wiſdom of the Parliament, which may farther ſecure Religion and Liberty againſt a Popiſh Succeſſor, without defeating the Right of Succeſſion itſelf, his Majeſty will moſt readily conſent to it. Thus watchful is the King for all your Safety; and, if he could think of any thing elſe, that you do either want or wiſh to make you happy, he would make it his Buſineſs to effect it to you. God Almighty long continue this bleſſed Union between the King and his Parliament and People.'

A Committee appointed to conſider, what Part of the laſt Supply is undiſpos'd of.

May 1. the Commons revived a Committee, formerly appointed to conſider what part of the Money given for diſbanding the Army is yet undiſpoſed of, and remaining in the Exchequer; being ſtill apprehenſive of the Corruptions of the Earl of Danby. But to ſhew a perſonal Concern for their Sovereign at the ſame Time, they fell upon the farther Conſideration of ſecuring and preſerving the King, and the Proteſtant Religion, againſt the Attempts of the Papiſts, both in the Reign of his Majeſty and his Succeſſors. They alſo read, at the ſame Time, a Bill for better Prevention of illegal Exaction of Money from the Subjects; and ordered,

A Bill to vacate the Election of Placemen.

that Leave be given to bring in a Bill, 'That when any Member of this Houſe is preferred to any Office or Place of Profit, a new Writ ſhall immediately iſſue out for electing a Member to ſerve in his ſtead.

Report of the Committee above-mention'd.

The 2d, the Committee for inſpecting what Part of the Supply for the disbanding the Army remain'd undiſpos'd of, reported that on the Evidence of Sir R. Howard, (Auditor of the Exchequer) 40 or 45,000 *l.* is or ought to be yet in the Exchequer.

Lord Danby's Pardon voted illegal, and void.

Still the Earl of Danby was one of their chief Grievances, and his Pardon (which by the Advice of his Council he reſolved to abide by) a very great Vexation; therefore on the 5th of May they reſolved, that it was the Opinion of this Houſe, that the Pardon pleaded by the Earl of Danby was illegal

illegal and void, and ought not to be allowed in bar of the Impeachment of the Commons of England. Anno 31 Car. II. 1679.

The ſame Day, his Majeſty ſent a Meſſage to the Commons, by Lord Ruſſel, one of his new Privy-Council, who acquainted the Houſe, 'That his Majeſty commanded him 'to let the Houſe know, that his Majeſty is willing to com-'ply with the Requeſt made to him by the Houſe concern-'ing Pickering, and that the Law ſhall paſs upon him ac-'cordingly. As to the condemned Prieſts, the Houſe of Peers 'have ſent for them, in order, as his Majeſty conceives, to 'ſome Examinations. And farther to acquaint you, that he 'repeateth his Inſtances to you, to think of putting the Fleet 'in ſuch a Poſture, as may quiet Mens Fears, and at leaſt 'ſecure us from any ſudden Attempt; which his Majeſty 'doubts not but you will do. And tho' the Streights and 'Difficulties he lieth under are very great, he doth not in-'tend, during this Seſſion, to preſs for any farther Supply; 'being willing rather to ſuffer the Burdens that are upon him 'ſome time longer, than to interrupt you whilſt you are em-'ployed about the Diſcovery of the Plot, the Trial of the 'Lords, and the Bill for ſecuring of our Religion.' After which Mr. Speaker, with the whole Houſe, went up to the Lords Bar, and demanded Judgment againſt the Earl of Danby in theſe Words: The King's Meſſage.

'My Lords, The Knights, Citizens and Burgeſſes, in Parliament aſſembled, are come up to demand Judgment, in their own Names, and the Names of all the Commons of England, againſt Thomas Earl of Danby, who ſtands impeached by them before your Lordſhips of High-Treaſon, and divers high Crimes and Miſdemeanors; to which he has pleaded a Pardon; which Pardon the Commons conceive to be illegal and void; and therefore they do demand Judgment of your Lordſhips accordingly.' Judgment demanded againſt Lord Danby.

On the 7th, the following Meſſage was ſent by two Judges from the Lords:

'Mr. Speaker, we are commanded by the Lords to acquaint this Houſe with an Order yeſterday made concerning the Earl of Danby, viz. Whereas the Earl of Danby hath adhered to the Plea of his Pardon, and prayed to be heard by his Council, to make good the Validity of his Pardon: And whereas the Commons have by their Speaker, in proper Perſon, demanded Judgment againſt the Earl, as conceiving his Pardon to be illegal and void; It is ordered by the Lords ſpiritual and temporal, in Parliament aſſembled, that Saturday the tenth Inſtant, be appointed for hearing the Earl of Danby to make good his Plea. And farther to acquaint you, that the Lords ſpiritual and temporal have yeſterday reſolved, that the five Lords in the Tower, William Earl A Meſſage from the Lords.

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Earl of Powis, William Viſcount Stafford, William Lord Petre, Henry Lord Arundel of Wardour, and John Lord Bellaſis, ſhall be brought to their Trials, upon Wedneſday the fourteenth of this Month; and likewiſe, that the Lords have addreſs'd his Majeſty to appoint a Lord High Steward.'

The Houſe then order'd a Committee to inſpect the Journals for Precedents relating to the ſaid Meſſage.

The 8th, the following Addreſs againſt the Duke of Lauderdale was agreed to; with the Reſolution that it ſhould be preſented by the whole Houſe.

Their Addreſs againſt the Duke of Lauderdale.

'We your Majeſty's moſt loyal and dutiful Subjects, the Commons in Parliament aſſembled, finding your Majeſty's Kingdoms involved in imminent Dangers, and great Difficulties, by the evil Deſigns and pernicious Councils of ſome who have been, and are in high Place, and Truſt and Authority about your royal Perſon; who, contrary to the Duty of their Places, by their arbitrary and deſtructive Counſels, tending to the Subverſion of the Rights, Liberties and Properties of your Subjects, and the Alteration of the Proteſtant Religion eſtabliſhed, have endeavoured to alienate the Hearts of your loyal Subjects, from your Majeſty and your Government. Amongſt whom we have juſt Reaſon to accuſe John Duke of Lauderdale, for a chief Promoter of ſuch Counſels; and more particularly for contriving and endeavouring to raiſe Jealouſies and Miſunderſtandings between your Majeſty's Kingdoms of England and Scotland; whereby Hoſtilities might have enſued, and may ariſe, between both Nations, if not prevented. Wherefore, we your Majeſty's loyal Subjects, could not but be ſenſibly affected with Trouble, to find ſuch a Perſon (notwithſtanding the repeated Addreſſes of the laſt Parliament) continued in your Councils at this Time, when the Affairs of your Kingdom require none to be put into ſuch Employments, but ſuch as are of known Abilities, Intereſt and Eſteem, in the Nation, without all Suſpicion of either miſtaking or betraying the true Intereſt of the Kingdom, and conſequently of adviſing your Majeſty ill. We do therefore moſt humbly beſeech your moſt ſacred Majeſty, for taking away the great Jealouſies, Diſſatisfactions, and Fears among your good Subjects, that your Majeſty will graciouſly be pleaſed, to remove the Duke of Lauderdale from your Majeſty's Councils, in your Kingdoms of England and Scotland, and from all Offices, Employments, and Places of Truſt, and from your Majeſty's Preſence for ever.'

To this the King only made this cold Reply: 'That he would conſider of it, and return an Anſwer.'

The ſame Day, the Houſe took into Conſideration the Amendments made by the Lords, to the Bill for granting a

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a Supply to his Majeſty of 206,462 *l.* 17 *s.* 3 *d.* for paying off and disbanding the Forces raiſed ſince the 29th of September, 1677. And the firſt, ſecond, third, fourth and fifth Amendments, being twice read, were upon the Queſtion ſeverally agreed: The ſixth and ſeventh Amendment (for leaving out John Lord Roſs, Son and Heir apparent to the Earl of Rutland) being read a ſecond Time, and the Lord Roſs having been called up to the Houſe of Peers, ſince the Bill was ſent up to the Houſe of Lords; *Reſolved*, That the Houſe doth not agree with the Lords in the ſaid Amendments. The reſt of the Amendments, to the hundredth and ſecond Skin, ſixth Line, being twice read, were upon the Queſtion ſeverally agreed. The Amendment in the hundredth and ſecond Skin, ſixth Line, being read a ſecond Time, and the Queſtion being put for agreeing with the Lords in that Amendment, it paſſed in the Negative. The reſt of the Amendments to the End of the Bill, being twice read, were upon the Queſtion ſeverally agreed. The two Clauſes to be added at the End of the Bill, being twice read, and the Queſtion being ſeverally put, to agree with the Lords in the ſaid Clauſes, it paſſed in the Negative.

Ordered, That a Committee be appointed to draw up Reaſons, to be delivered at a Conference to be had with the Lords, why the Houſe have diſagreed with their Lordſhips, in ſeveral of their Amendments, to the Bill for paying off and disbanding the Army.

Sir Thomas Clarges's Report from the Committee appointed to inſpect the Lords Journals.

Sir Thomas Clarges then gave in his Report from the Committee appointed to inſpect the Journals for Precedents relating to the Lords Meſſage of the Day before, which was as follows:

'That on the like Occaſion, the Houſe of Commons have appointed a ſelect Committee to join with a Committee of Lords, to conſider of the Methods and Circumſtances to be obſerved on the Trials.'

Sir John Trevor's Report, relating to the Amendments made by the Lords, to the Bill for disbanding the Army.

The ſame Day, Sir John Trevor, likewiſe, gave in his Report of the Reaſons prepar'd by the Committee, why this Houſe cannot agree to the Amendments, made by the Lords, to the Bill for disbanding the Army, which were to the following Effect:

'That the Commons look upon the firſt Clauſe, that they diſſent from as unneceſſary, becauſe the Bill has a relative Clauſe to the Act for building the Ships, wherein the Clauſe, deſired by their Lordſhips, is enacted.

'That the Amendments relating to Guernſey and Jerſey, is ſuch a Diſpoſition of Money, as the Commons have great Reaſon to be tender of from paſt Experience. It alters the Bill in ſeveral Parts, and would be of dangerous Conſequence if admitted.

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'That the 500000 *l.* in the laſt Amendment is already appropriated to the paying off and diſbanding the Army and ſo there needs no ſuch Clauſe: and the altering of ſuch Appropriations by a ſubſequent Act, would deſtroy the Credit of any Appropriation to be hereafter made by Parliament.'

A Committee appointed to draw up Heads for a Conference with the Lords.

A Committee was then appointed to draw up Heads for a Conference to be had with the Lords, on the Meſſage relating to Lord Danby, and the other Lords impeach'd, who the ſame Day gave in their Report as follows:

Their Report.

'That the Commons ſuppoſe your Lordſhips intend in all your Proceedings, upon the Impeachments now depending to follow the uſual Courſe and Methods of Parliament; and the Commons cannot apprehend what ſhould induce your Lordſhips to addreſs his Majeſty for a Lord High Steward, to determine the Validity of the Pardon which has been pleaded by the Earl of Danby, to the Impeachment of the Commons; as alſo, for the Trial of the other Lords. Becauſe we conceive the conſtituting of a High Steward is not neceſſary; but that Judgment may be given in Parliament upon Impeachments, without a High Steward.

See post. 355. 356. & 7. Grey's Deb. 201.

'There being ſeveral other Matters contain'd in your Lordſhips Meſſage, touching the Trial of the Lords impeached; which, if not ſettled, may occaſion ſeveral Interruptions and Delays in the Proceedings: The Houſe of Commons do therefore propoſe, that a Committee of both Houſes may be appointed to conſider of the moſt proper Ways and Methods of proceeding upon Impeachments of the Houſe of Commons, according to the Uſage of Parliament; that, thereby, thoſe Inconveniencies may be avoided.'

The Lords drop their Amendments to the Bill for a Supply.

The 9th, the Lords, by Meſſage, acquainted the Houſe that they had agreed to drop their Amendments to the Bill for diſbanding the Army.

The ſame Day, Sir Thomas Meers reported from the Conference had with the Lords concerning the Trial, that the Lord Privy-Seal manag'd the Conference, and that what he deliver'd was as follows:

They refuſe to join in a Committee of both Houſes.

'That the Lords do not agree to a Committee of both Houſes, becauſe they do not think it conformable to the Rules and Orders of Proceedings of this Court, which is and ever muſt be tender in Matters relating to their Judicature.

The Commons addreſs the King, to raiſe the Militia round London, in which the Lords concur.

It was then reſolv'd, that his Majeſty ſhould be addreſs'd to order the Militia of London, Weſtminſter, Southwark, the Tower-Hamlets, Middleſex and Surry, may be immediately rais'd, &c. and that two Companies of the Weſtminſter Train'd-Bands may be put in Arms to-morrow Morning

Morning: which being the next Day drawn up in Form, was ſent up to the Lords, who gave their Concurrence to it unanimouſly.

The ſame Day the Houſe reſolv'd, 'That no Commoner whatſoever ſhould preſume to maintain the Validity of the Pardon pleaded by the Earl of Danby, without the Conſent of this Houſe; and that the Perſons ſo doing, ſhall be accounted Betrayers of the Liberties of the Commons of England. Several warm Reſolutions.

'That this Vote be poſted up at Weſtminſter-Hall-Gate, at the ſeveral Gates of Serjeant's-Inn, and other Inns of Court; and that the Anſwer deliver'd by the Lords this Day, at the laſt Conference, tends to the Interruption of the good Correſpondency between the two Houſes.'

The 10th, Mr. Hampden made his Report from the Committee appointed to draw up Reaſons to be offer'd at a Conference with the Lords upon the Subject Matter of the laſt, which were to the following Effect: Reaſons to be offered to the Lords at a Conference.

'The Commons, hoping this Conference will prevent all Miſunderſtandings between the two Houſes, at this Conjuncture ſo eſpecially to be avoided, when the moſt heinous Delinquents are to be brought to Juſtice; and when the Enemies of both King and Kingdom ought to have no Hopes left them to ſee this obſtructed by any Difficulties in the Proceedings, have commanded us to ſay this to your Lordſhips:

'That your Lordſhips do not offer any Anſwer or Satisfaction to the Commons in their neceſſary Propoſals, amicably offered by way of Suppoſition, that they might have been confirm'd therein, by Anſwer from your Lordſhips, that your Lordſhips do intend, in all your Proceedings upon the Impeachments now depending before your Lordſhips to follow the uſual Courſe and Methods of Parliament.

'And farther, that your Lordſhips have not given the leaſt Anſwer or Satisfaction to the Commons concerning a Lord High Steward, tho' the Commons propos'd their Deſire of Satisfaction in that Matter in as cautious Terms as could be, on purpoſe to avoid all Diſputes about Judicatures.

'The Commons, to avoid Delays and Interruptions, propos'd to your Lordſhips that a Committee of both Houſes might be nominated to conſider of the moſt proper Ways of proceeding upon Impeachments. Your Lordſhips, without any Reaſon aſſign'd (ſave only that you ſay you do not think it conformable to the Rules and Proceedings of this Court) have refus'd to agree with the Houſe of Commons, in appointing ſuch a Committee, tho' not heretofore deny'd, when aſk'd upon the like Occaſion, and at this Time, deſired purpoſely to avoid Diſputes and Delays.

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'And therefore, the House commanded us to acquaint your Lordships, that Things standing thus upon your Answer, they cannot proceed upon the Trials of the Lords before the Methods of Proceeding be adjusted between the two Houses.'

After these Reasons had been read and approv'd, and a Conference demanded thereon, the Lords, on their Side, demanded one in the Interval, the Substance of which was thus deliver'd to the House by Sir John Trevor the same Day, viz.

Sir John Trevor.

'That the Lord Privy-Seal manag'd the Conference; and that he acquainted them, that the Lords had received a Petition from the Earl of Danby, who was order'd to attend their Lordships this day, which his Lordship read: Whereby the Earl of Danby sets forth, that he met with Information from his Council, that they durst not appear to argue the Validity of his Pardon, by reason of a Vote of the House of Commons; and that their Lordships desir'd to know whether there was any such Vote as was alledg'd in the Petition.

The Earl of Danby petitions the Lords.

This unexpected Query of the Lords, occasion'd an Order of the House, that a Committee should be appointed to inspect the Journals, and search Precedents concerning Questions ask'd at Conferences.

Mr. Bertie examined.

The same Day Mr. Charles Bertie (entrusted by Patent, with the Disposal of 20000 *l. per Annum* secret Service Money out of the Excise) was call'd in, and examin'd on several Questions; and being withdrawn, it was resolved that the House was not satisfied with his Answers. After which, Sir Robert Howard, Auditor of the Exchequer, informing the House that from Lady Day 1676, to March 26. 1679, 252,467 *l.* 1 *s.* 9 *d* had been paid to the said Mr. Bertie for secret Service; an Order was issued, that Mr. Charles Bertie be committed to the Custody of the Serjeant at Arms, for his Contempt to this House.

252,467 l. recieved by him for secret Service.

And committed into Custody for a Contempt.

The 11th, being Sunday, the Lords signify'd to the House by Message, that they have appointed a Committee, consisting of twelve Lords to join with a Committee of the House of Commons, to consider of Propositions and Circumstances in reference to the Trials of the Lords in the Tower.

The Lords agree to the joint Committee.

The same Day, Mr. Treby having acquainted the House with several Particulars, concerning the Duke of York, contain'd in the Letters and Papers in the Custody of the Committee of Secrecy, relating to the Plot, it was resolv'd, That a Bill be brought in to disable the said Duke from inheriting the Imperial Crown of these Realms. And moreover, *nemine contradicente*,

Bill of Exclusion brought in.

'That

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'That in defence of the King's Perſon, and the Proteſtant Religion, this Houſe doth declare, that they will ſtand by his Majeſty with their Lives and Fortunes; and that if his Majeſty ſhould come by any violent Death (which God forbid) they will revenge it to the utmoſt on the Papiſts.'

Reſolution to ſtand by his Majeſty with their Lives and Fortunes.

This was ſoon after put into the form of an Addreſs, which being preſented to his Majeſty, he returned this Anſwer:

'Gentlemen, I thank you for your Zeal for the Preſervation of the Proteſtant Religion, and of my Perſon; and I aſſure you, I ſhall do what in me lies, to ſecure the Proteſtant Religion; and am willing to do all ſuch things, as may tend to the Good and Benefit of my Subjects.'

His Majeſty's Anſwer.

In the mean time, on Wedneſday the 14th of May, the King ſent this following Meſſage to the Houſe of Commons, by Mr. Powle, one of his new Privy-Council.

C. R.

'Though his Majeſty hath already, at the firſt meeting in Parliament, and ſince by a Word or two, mentioned the Neceſſity of having a Fleet at Sea this Summer; yet the Seaſon for preparing it being far advanced, and our Neighbours before us in their Preparations, he cannot hold himſelf diſcharged towards his People, if he do not now, with more Earneſtneſs, again recommend the ſame to your preſent Care and Conſideration; and the rather, from the daily Expectation of the Return of the Fleet from the Streights, to which a great Arrear is due; and hereby he muſt acquit himſelf of the evil Conſequences, which the want of a Fleet in ſuch a Juncture may produce: And he hath not done this without conſidering, That the entering upon the Work preſently can be no hindrance to the other great Affairs upon your Hands; but rather a Security, in the diſpatch thereof.'

The King's Meſſage to them.

This Meſſage, tho' reaſonable and proper, and proceeding from an unexceptionable Council, was no farther regarded, than after a Debate, it was reſolved, that the farther Conſideration of the ſaid Meſſage be adjourned till Monday next come ſeven-night.

Both Houſes having agreed to a joint Committee for ſettling the Way and Method of trying the impeached Lords, after ſome meetings a Report was made to the Houſe of Commons by Sir John Trevor, to this effect:

'That the Commons had made two Propoſitions to the Committee of the Lords: Firſt they deſired to ſee the Commiſſion of the Lord High-Steward, and thoſe to former Lords: Secondly, they deſired to know what Reſolutions had been taken, about the Lords Spiritual being preſent or abſent at the Trial of the Lords impeached. For the firſt, the Lords

Proceedings about the impeached Lords.

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Lords Committee produced ſeveral Copies of the Commiſſions to the Lords High-Stewards, and particularly that for the Trial of the Earl of Danby, and for the five Lords in the Tower.' But withal they communicated a Reſolution of the Lords Houſe, of the 12th of May, in theſe Words:

'It is declared and ordered, by the Lords Spiritual and Temporal, that the Office of a High-Steward, upon Trials of Peers upon Impeachments, is not neceſſary to the Houſe of Peers; but that the Lords may proceed upon ſuch Trials, if a High-Steward be not appointed according to their humble Deſire.' Their Lordſhips farther declared to the Committee, 'That a Lord High-Steward was made *pro hac vice* only: That notwithſtanding the making a High Steward, the Court remained the ſame, and was not thereby altered, but ſtill remained the Court of Peers in Parliament: That the Lord High-Steward was but as a Speaker or Chair-man, for the more orderly Proceedings at the Trials. Notwithſtanding which, they had petitioned and obtained a Lord High-Steward for the enſuing Trials.' As to the ſecond Propoſition, the Reſolution of the Houſe of Peers was in theſe Words:

'*Reſolved* by the Lords Spiritual and Temporal, that the Lords Spiritual have a Right to ſtay in Court in capital Caſes, till ſuch time as Judgment of Death comes to be pronounced.'

The next day, the Lords explained themſelves, and declared the Meaning of their Reſolution to be, That the Lords Spiritual have a Right to ſtay and ſit in Court, till the Court proceed to vote guilty or not guilty.

The ſecond Propoſition, being a Matter of great Weight and Conſideration, the Committee of the Commons had commanded him to report it to the Houſe, in order to receive their Directions for their farther Proceedings.

Two days after, Sir John Trevor made another Report from the Committee of both Houſes, that the Lords had communicated to the Committee certain Proceedings of the Houſe of Lords, in theſe Words:

'*Reſolved* by the Lords Spiritual and Temporal, That Thurſday the 22d Inſtant be appointed to begin the Trials of the five Lords in the Tower; the Earl of Powis, Lord Viſcount Stafford, Lord Petre, Lord Arundel of Wardour, and Lord Bellaſis. After which Reſolution paſſed, the Lords Spiritual asked the Leave of the Houſe, that they might withdraw themſelves from the Trials of the ſaid Lords, with the Liberty of Entring their uſual Proteſtations. And that the Commons Committee did deſire the Directions of the Houſe, how they ſhould proceed thereon. Upon hearing the Report, the Houſe of Commons, after a warm Debate,

bate, *Reſolved*, that it be given as an Inſtruction to the ſaid Committee to inſiſt, That the Lords Spiritual ought not to have any Vote in any Proceedings againſt the Lords in the Tower: And when that Matter ſhall be ſettled, and the Methods of Proceeding adjuſted, this Houſe ſhall then be ready to proceed upon the Trial of the Pardon of Lord Danby, againſt whom this Houſe hath already demanded Judgment; and afterwards to the Trials of the other five Lords in the Tower. Anno 31 Car. II. 1679.

On the 15th of May, the Commons perfected their grand Bill to diſable the Duke of York from inheriting the imperial Crown of England; now obtaining the Name of the Excluſion Bill: and was read the firſt Time, without any great Oppoſition. It ſet forth, after the Particulars of the execrable Conſpiracy,

'That the Emiſſaries, Prieſts and Agents for the Pope, had traitorouſly ſeduced James Duke of York, preſumptive Heir to theſe Crowns, to the Communion of the Church of Rome; and had induced him to enter into ſeveral Negotiations with the Pope, his Cardinals and Nuncios, for promoting the Romiſh Church and Intereſt; and by his Means and Procurement, had advanced the Power and Greatneſs of the French King, to the manifeſt Hazard of theſe Kingdoms. That by Deſcent of theſe Crowns upon a Papiſt, and by foreign Alliances and Aſſiſtance, they might be able to ſucceed in their wicked and villainous Deſigns.' The Subſtance of the Excluſion Bill.

Then after another Preamble, they enacted to this Effect:

1. 'That the ſaid James Duke of York, Albany, and Ulſter, ſhould be incapable of inheriting the Crowns of England, Scotland, and Ireland, with their Dependencies; and of enjoying any of the Titles, Rights, Prerogatives and Revenues belonging to the ſaid Crowns.

2. 'That in caſe his Majeſty ſhould happen to die, or reſign his Dominions, they ſhould devolve to the Perſon next in Succeſſion, in the ſame manner as if the Duke was dead.

'3. That all Acts of Sovereignty and Royalty that Prince might then happen to perform, were not only declared void, but to be High-Treaſon, and puniſhable as ſuch.

'4. That if any one, at any Time whatſoever, ſhould endeavour to bring the ſaid Duke into any of the forementioned Dominions, or correſpond with him in order to make him inherit, he ſhould be guilty of High-Treaſon.

'5. That if the Duke himſelf ever returned into any of theſe Dominions, conſidering the Miſchiefs that muſt enſue, he ſhould be looked upon as guilty of the ſame Offence; and all Perſons were authorized and required, to ſeize upon and impriſon him; and in caſe of Reſiſtance made by him or his Adherents, to ſubdue them by Force of Arms.'

This

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This Bill of Baniſhment, as well as Excluſion, was five Days after read a ſecond time in the Houſe.

Upon which the queſtion being put, whether the Bill ſhould be committed, the Houſe divided, and the Yeas ordered to go forth, were two hundred and ſeven, and the Noes who ſtaid were but a hundred and twenty eight, the Majority ſeventy-nine; and ſo the Bill was committed to a Committee of the whole Houſe: but the Parliament being ſoon after prorogued, it proceeded no farther.

May 22. A Committee having been ſome time before appointed to enquire into the Miſcarriages of his Majeſty's Navy; and the Petition of one Captain Mohun againſt Sir Anthony Dean, Hugh Salisbury, and John Moor, all Officers in his Majeſty's Yard at Portſmouth, having been left to their Conſideration, Mr. Harbord reported to the Houſe the Caſe of the ſaid Captain Mohun, to the Effect following:

The Report from the Committee on the Miſcarriages of the Navy.

That the ſaid Dean, Salisbury and Moor, did, in the Year 1673, equip the Hunter Sloop, out of his Majeſty's Stores at Portſmouth; and by the favour of Mr. Pepys, Secretary to the Admiralty, procur'd a Commiſſion of Repriſal for the ſaid Captain Mohun, to whom they gave the Command of the ſaid Sloop; who gave 1000 l. Bond, acknowledging the ſaid Perſons to be Owners of the ſaid Sloop, and obliging himſelf to be accountable to them for the Prizes he ſhould take.

That the ſaid Mohun ſail'd with the ſaid Sloop to Dover, where he receiv'd a Letter from Dean, directing him to make for Dunkirk or Calais, there to make the ſaid Sloop free of either of thoſe Ports, and likewiſe procure a Commiſſion againſt the Dutch; the Charge of all which the ſaid Dean undertook to pay.

That the ſaid Mohun, ſenſible of the Injuſtice of this Deſign, laid down his Command, and left her at Dover; and that being ſome time after at Dunkirk, he there ſaw the ſaid Sloop, then commanded by one Thomas Swayne, bring in the Catherine of London as a Prize, being a free Ship of England; of which the ſaid Mohun gave an inſtant account to her Owners in London.

That the ſaid Mohun being at Calais, there came over one Balthazar St. Michael, concern'd likewiſe in the Sloop Hunter, and his Majeſty's Cheque-Maſter at Portſmouth, in his way to Paris, with Inſtructions and Letters to get the ſaid Ship Catherine condemn'd as Prize, tho' he knew the ſaid Ship had been prov'd to be Engliſh before his Majeſty and Council; and that his Majeſty had ſent Orders to his Embaſſador at Paris to procure her Diſcharge.

That

That the ſaid St. Michael got the ſaid Ship and Cargo reſeiz'd, after ſhe had been diſcharg'd at the inſtance of his Majeſty's ſaid Embaſſador. Anno 31 Car. II. 1679.

That the ſaid Mohun had heard the ſaid Captain Swayne ſay, that he receiv'd the Proviſions of the ſaid Sloop from his Majeſty's Victualler at Dover.

That the ſaid Mohun, being ſince Maſter of a ſmall Veſſel, and putting into Dover, was preſs'd by the ſaid Dean and Moor, to be Pilot of the Norwich-Frigate; where he was detain'd eight Days, and then forc'd on ſhore by Violence: After which, by certain Soldiers of the Gariſon, he was hurried to Priſon; Dean bringing an Action againſt him for 2000 l. That, within half an Hour after he was in the ſaid Priſon, he was cruelly ſhackled; that he was forced to go on Crutches for five Months; and that being afterwards remov'd by *Habeas Corpus* to the King's Bench, he continued a Priſoner there for three Years, till diſcharg'd by Act of Parliament.

That the Merchants, Owners of the ſaid Ship Catherine, have proved the Matter of Fact inconteſtably, charg'd on the ſaid St. Michael (for which he was committed to the Tower) Swayne, and their Accomplices: That the Damage they received by theſe piratical Proceedings amounted to 5000 l. and might have been the occaſion of a War between his Majeſty and the States-General; it being directly contrary to the Articles of Peace made betwixt them.

That the ſaid Dean and Pepys did cauſe to be made certain Maps, Sea-Journals, Draughts of his Majeſty's beſt-built Ships, Models of Ships, and fill'd 14 Sheets of Paper, cloſely written, with an Account of the Number, State and Oeconomy of the Navy Royal; the Means to allure Engliſh Seamen into the French Service; the Weakneſs of thoſe Places where our Fleets lie, Defects of Stores, Deſcriptions of Forts, Rivers, Gariſons, *&c.* All which Papers, *&c.* the ſaid Dean is accuſed of carrying over to France, and delivering to the Marqueſs de Signely, then Secretary to the French Admiralty, in order to carry on and ſupport the Popiſh Plot againſt his Majeſty, *&c.*

In conſequence of this Report, an Order was iſſued the ſame day for committing the ſaid Dean and Pepys to the Tower; and another for the Attorney-General to proſecute them; as likewiſe St. Michael, Moor, Swayne, and one Watſon. Certain Perſons ordered to be proſecuted thereon.

The 23d, the Houſe being inform'd that Sir Stephen Fox had paid ſeveral Sums of Money to ſome of the Members of the late Parliament, and that he has Books of Accounts to evidence the ſame; it was ordered, that he ſhould immediately attend the Houſe with the ſaid Books, *&c.* An Enquiry into the Diſpoſal of Money diſtributed among the Members.

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Soon after which, Sir Stephen being come, it was order'd that he ſhould forthwith produce his Ledger-Book, Caſh Book, Journal, and Receipts of Money by him paid for ſecret Service; and that Sir John Hotham, Sir Robert Peyton, and Sir John Holeman do accompany the ſaid Sir Stephen Fox; and that he is enjoin'd not to go out of the Company of the ſaid Members, before they return to the Houſe.

Ordered, That no Member depart the Service of this Houſe, till Sir Stephen Fox and the other Members return.

Then the ſaid Members being return'd, Sir John Hotham reported, That ſo ſoon as they came to Sir Stephen Fox's the Lord Chamberlain came in and told them, that he durſt not ſuffer any Books or Papers that concern'd the King to go out of his Houſe, without the King's ſpecial leave.

Ordered, That Sir Stephen Fox do name ſuch Members of the laſt Parliament as he could remember that received any Money for ſecret Service.

Ordered, That Sir Francis Winnington report to-morrow what Members of the laſt Parliament, the ſecret Committee knows receiv'd any Penſion.

Ordered, That the Clerk read over the Roll, and that Sir Stephen Fox anſwer every Name.

	per Annum.
Sir Charles Wheeler,	400 l.
Francis Roberts,	500.
Sir James Smith,	500.
Sir Richard Wiſeman,	500.
Thomas Price,	400.
Humphrey Cornwall,	200.
Sir Lionel Walden,	300.
Daniel Colingwood,	300.
Robert Philips,	300.
Received at a Time.	
Sir George Reeves.	500 l.
Sir John Duncomb,	2000.
Sir Thomas Woodcock,	200.
Henry Clark,	400.
Sir John Talbot,	500.
Sir Philip Mountain,	300.
Upon Account.	
Sir John Robinſon,	2500 l.
Mr. Rogers,	200.
Colonel Whitley,	300.
Sir Jonathan Trelawney,	500.
Sir Philip Howard,	500.
Sir Courtney Poole,	1000.
Colonel King,	200.

Mr.

Mr. Weſtphaling,	200l.
Sir John Barnaby,	300.
Sir Job Charlton,	1000.
Mr. Knolls.	200.
Randolph Egerton,	500.

Sir John Trevor's Report from the joint Committee of Lords and Commons.

The ſame day Sir John Trevor, from the Committee appointed to join the Committee of Peers, to conſider of Propoſitions and Circumſtances relating to the Trial of the Lords in the Tower, reported the Contents of a Paper, delivered by the ſaid Committee of Peers, as follows:

'That the Lords, Powis, Stafford, Petre, and Arundel of Wardour, ſhall have Warrants for ſuch Witneſſes as will not come without (Affidavit being firſt made thereof) except Members of the Houſe of Commons, and Perſons charged with being Accomplices in the ſame Treaſon. And, that ſuch Witneſſes as any of the ſaid Lords produce for their Defence, ſhall not be examin'd upon Oath in their own Caſe; but may be examin'd upon Oath, if deſir'd by the Commons on their Behalf; and, that if any of the Lords do re-examine them, it ſhall be on the ſame Oath.

'That the Lieutenant of the Tower is to return the Warrant of this Houſe.

'That the ſaid Lords being brought to the Bar by the ſaid Lieutenant, are to kneel, till commanded to riſe by the Lord High-Steward; when he is to let them know, that they are then to anſwer the Accuſation of High-Treaſon brought againſt them, in the Name of the Commons of England, and take their Trials for their Lives.

'That the whole Impeachment is to be read, and then their Anſwers. After which the Lord High-Steward is to tell the Commons, that they may proceed with their Evidence.

'That he is then to declare, that now the Court is proceeding to hear the Evidence, and deſire the Peers to give their Attention.

'That if the ſaid Lords demand Counſel, the Lord High-Steward is to tell them, that, while the Managers for the Commons urge their Evidence of Facts, they are to uſe no Counſel.

'That if any Peers or Managers for the Commons would ask the Priſoners any Queſtion, they muſt deſire the Lord High-Steward to ask the ſaid Queſtion.

'That if any doubt ariſes upon the Trial, no Debate is to be in Court; but the Queſtion ſuſpended, to be debated in the Houſe.

'That the Peers are to ſit upon the Trial but a Day, and not to ſit paſt Two of the clock.

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'That the Members of the Commons are to be ſeated first, before the Peers come.

'That none are to be cover'd at the Trial, but the Peers.

'That a private Place be made to put Offenders ſafely in.

'That the Space, between the Priſoners and the Wool-Sack, be clear.

'That, ſuch Peers who ſhall be admitted Witneſſes, at the Inſtance of the Commons, are to be ſworn at the Clerk's-Table, the Lord High-Steward to adminiſter the Oath, and to deliver their Evidence in their own Places.

'That, thoſe Witneſſes, who are Commoners, are to be ſworn at the Bar, by the Clerk, and deliver their Evidence there.

'That, the Form of the Oath for the Witneſſes, ſhall be this;

'The Evidence which you ſhall give in this Trial, concerning the five Lords Priſoners, at the Bar, ſhall be the 'Truth, the whole Truth, and nothing but the Truth. So 'help you God, and the Contents of this Book.'

'That the ſaid five Lords may croſs-examine Witneſſes, *viva voce*, at the Bar.

'That Notice be given to the Lord-Mayor, Aldermen, and Sheriffs of London, and likewiſe, the Deputy-Lieutenants, and Juſtices of Middleſex, &c. to take care for the ſafe guarding the Gates, and other Places, thereby to prevent the Concourſe of People reſorting to Weſtminſter, during the Trial.

'*Ordered* by the Lords Spiritual and Temporal, in Parliament aſſembled, That this Paper be communicated to the Committee of the Houſe of Commons, by the Lords Committee of this Houſe.

'To this Sir John Trevor, further reported, That the Lords of the Committee declar'd, when they deliver'd the ſaid Paper, that the Paper was deliver'd as Propoſals to be debated; not as an Order, or Rule to bind the Commons: And that the Committee of the Houſe did declare, that they receiv'd the Paper, only as Propoſals.'

The 24th, it was *Reſolv'd*, That the Committee, appointed to join the Committee of the Lords, do inſiſt upon the former Inſtructions, and do give no Anſwer to the Propoſals made Yeſterday by the Lords, until their Lordſhips have made an Anſwer to the Propoſals, already made to their Lordſhips, by the Committee of this Houſe.

Reſolved, That an Anſwer be return'd to the laſt Meſſage of the Houſe of Peers, touching their Appointment of the Trial of the five Lords, to be on Tueſday next, with Reaſons, Why the Houſe cannot proceed to the Trial of the ſaid Lords, before Judgment is given upon the Earl of Danby's

Danby's Plea of his Pardon, and the Point of the Biſhops not Voting in any Proceedings upon Impeachments for capital Offences be ſettled, and the Methods of Proceeding adjuſted: And, That a Committee be appointed to prepare and draw up the Reaſons.'

A farther Account of Penſions, and ſecret Service-Money.

The ſame day Sir Francis Winnington reported from the Committee of Secrecy, That there was Annually paid out of the Exciſe, 20,000 l. for Penſions manag'd by Mr. Charles Bertie, by Patent, for which he was to give no Account, but for ſecret Service. That Sir Richard Wiſeman receiv'd 400 l. *per An.* for himſelf; and 400 l. *per An.* for three more. That Sir Joſeph Tredenham, Mr. Piercy Goring, Sir Robert Holt, Mr. Glaſcock, and Sir John Johnſon, were alſo Penſioners.

Ordered, That the Auditor of the Exciſe, do bring in a Liſt of the Farmers of the Exciſe, to the Year 1672.

Ordered, That Mr. Johnſon, and Mr. Lent, be ſent for to attend the Houſe, they having paid ſeveral of theſe Penſions. And that the Speaker iſſue forth his Warrant for any Witneſſes, as ſhall be named to him by any Members of this Houſe, touching Money paid for ſecret Service.

Mr. Sacheverel.

The 26th, Mr. Sacheverel delivered in his Report from the Committee appointed to draw up Reaſons, why this Houſe cannot proceed to the Trials, &c. which was to the following Effect:

The Report from the Committee appointed to draw up Reaſons, why the Commons cannot proceed in the Trials of the five Lords.

'The Commons have always deſir'd that a good Correſpondency may be preſerv'd between the two Houſes.

'There is now depending between the two Houſes a Matter of the greateſt Conſequence, in the Management of which your Lordſhips ſeem to apprehend ſome Difficulty from the Propoſals made by the Commons.

'To clear up this, the Commons have deſir'd this Conference, in which they hope to prove, That the ſaid Propoſals are only ſuch as have been well-warranted by the Laws of Parliament, and Conſtitution of the Government; and, in no ſort intrench upon the Judicature of the Peers, but, are moſt neceſſary to be inſiſted upon: That the antient Rights of Judicature in Parliament may be maintain'd.

'The Commons readily acknowledge, That the Crimes, charg'd upon the five Peers, are of deep Guilt, and call for ſpeedy Juſtice: but, withal, they hold any Change of Judicature in Parliament, made without Conſent of full Parliament, to be of pernicious Conſequence, both to his Majeſty, and his Subjects; and hold themſelves oblig'd to transmit to Poſterity, all the Rights they receiv'd from their Anceſtors; by putting your Lordſhips in mind of the Progreſs already made between the two Houſes, in relation to the Propoſals made by the Commons, and the Reaſonableneſs of

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of the ſaid Propoſals themſelves. They doubt not to make it appear that their Aim hath been no other, than to avoid ſuch Conſequence, and preſerve that Right: And, That there is no Delay of Juſtice on their part; and, to that End, do offer to your Lordſhips, the enſuing Reaſons and Narratives.

'That the Commons, in bringing the Earl of Danby to Juſtice, and the Diſcovery of that execrable and traitorous Conſpiracy, of which the five Lords ſtand impeach'd, have labour'd under great Difficulties, is not unknown to your Lordſhips.

'That, upon the Impeachment of the Earl of Danby, the common Juſtice of Sequeſtring him from Parliament, and forthwith committing him to ſafe Cuſtody, was then requir'd by the Commons, and deny'd by the Peers, tho' he then ſat in their Houſe. Of this, your Lordſhips have been ſo ſenſible, That, at the free Confereuce of April 10, your Lordſhips acknowledged that what we then demanded, was our Right, and well-warranted by Precedents. And, had not that Juſtice been deny'd to the Commons, great part of this Seſſion of Parliament, which hath been ſpent in framing a Bill for cauſing the Earl of Danby to appear and anſwer that Juſtice, from which he was fled, had been employ'd for the Preſervation of his Majeſty's Perſon, and the Security of the Nation: And, in proſecuting the other five Lords. Neither, had he had Opportunity to procure that illegal Pardon, bearing date March 1. which he hath now pleaded in Bar of this Impeachment, nor of waſting ſo great a Portion of the Treaſure of the Kingdom, as he hath done, ſince the Commons exhibited their Articles of Impeachment againſt him.

'That, after all this Time thus loſt, the ſaid Bill, being ready for the Royal Aſſent, the Earl of Danby ſurrender'd himſelf, was committed by your Lordſhips Order, dated April 16, pleaded his Pardon; and, being preſt, declar'd he would rely upon, and abide by that Plea. Which Pardon, being illegal and void; therefore, of no Force to preclude the Commons from having Juſtice: They did, therefore, with their Speaker, May 5, demand Judgment againſt the ſaid Earl upon the Impeachment; not doubting, but that your Lordſhips intended, in all your Proceedings upon the ſaid Impeachment, to follow the uſual Courſe and Methods of Parliament.

'But, the Commons were not a little ſurpriz'd by a Meſſage from your Lordſhips, May 7, That, as well the Lords Spiritual, as Temporal, had order'd May 10, for Hearing the ſaid Earl make good his Plea of Pardon. And That on the 13th, the other five Lords ſhould be brought to

to their Trial, in order to which, your Lordſhips had addreſs'd his Majeſty to name a Lord High Steward, as well in the Caſe of the Earl of Danby, as of the other five Lords.

'Upon Conſideration of the ſaid Meſſage, the Commons found that the admitting of the Lords ſpiritual to exerciſe Juriſdiction in theſe Caſes, was an Innovation, and which extended alike to the five Lords and the Earl of Danby, and that, if a Lord High Steward ſhould be held neceſſary upon Impeachments, the Power of Judicature in Parliament might be defeated by ſuſpending or denying to conſtitute a Lord High Steward; that the Days appointed for the Trial were ſo near at hand, that it was impoſſible to adjuſt the neceſſary Terms between the two Houſes in the Interval, unleſs their Zeal for ſpeedy Judgment againſt the Earl of Danby, that ſo they might proceed to the Trial of the other five Lords, ſhould induce them to admit of the Enlargement of your Lordſhips Privileges, with the great Hazard of the Commons Power of Impeachment for the Time to come.

'For reconciling Differences, for ſaving Time, and for expediting the Trials, without giving up the Power of Impeachment, or rendering them ineffectual, the Commons propos'd a joint Committee to your Lordſhips, at which, when agreed to, it was firſt propos'd to defer the Trials of the Lords, till other Affairs were adjuſted; and it was then agreed that the Propoſals, as to the Time of Trial, ſhould be the laſt Thing conſidered, and the Effect of this Agreement ſtands reported in your Lordſhips Books.

'Upon which, the Commons communicated their Vote, that their Committee ſhould inſiſt upon their former Vote, that the Lords ſpiritual ought not to have any Vote in the Proceedings againſt the Lords in the Tower; and that when this was adjuſted, they were ready to proceed on Lord Danby's Plea of Pardon, againſt whom they had before demanded Judgment. But to this, the Commons have as yet received no Anſwer, except that the Biſhops had ask'd Leave to withdraw, with Liberty of entering their uſual Proteſtation.

'And altho' the Commons have almoſt daily declared, that there was a neceſſary Point of Right to be ſettled before the Trials, and offered to debate the ſame, your Committee always anſwer'd they had not Power either to confer upon, or give any Anſwer concerning that Matter. Notwithſtanding which, your Lordſhips, by Meſſage May 14, declared to the Commons, that the Lords ſpiritual as well as temporal, had order'd the 27th for the Trial of the five Lords; ſo that the Commons apprehend your Lordſhips have not only departed from what was agreed on, and in effect, laid aſide the Joint-Committee, conſtituted for preſerving a good Underſtanding

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derſtanding between the two Houſes, and better Diſpatch of the weighty Affairs now depending in Parliament; but muſt needs conclude from the ſaid Meſſage and Vote of your Lordſhips May 14, that the Lords ſpiritual have a Right to ſtay and ſit till the Court proceeds to the Vote, Guilty, or not Guilty. And for the Biſhops asking Leave to withdraw, &c. and by their perſiſting ſtill to vote in Proceedings upon the Impeachments, that ſaid Leave-asking, &c. is only an evaſive Anſwer to the Vote of the Commons beforementioned, and chiefly intended as an Argument for a Right of Judicature in Impeachments, and a Reaſon to judge of the Earl of Danby's Plea of Pardon; and upon thoſe and other like Impeachments, tho' no ſuch Power was ever claim'd by their Predeceſſors, but is utterly deny'd by the Commons. And this the Commons are the rather induc'd to believe, as the very asking Leave to withdraw ſeems to imply a Right to be there; and that they cannot be abſent without it; becauſe, by this Way, they would have it in their power for the future, whether they will ask Leave to be abſent, and the temporal Lords like Power of denying it, if that ſhould be admitted once neceſſary.

'The Commons, therefore, are obliged not to proceed with the Trial of any of the five Lords, the 27th of this Inſtant May, but to adhere to their former Vote; and for their ſo doing, beſide what has been already ſaid, do offer the Reaſons following; viz.

'1. Becauſe your Lordſhips have received the Earl of Danby's Plea of Pardon, with a very long and unuſual Proteſtation, wherein he has aſpers'd his Majeſty, by falſe Suggeſtions, as if his Majeſty had commanded or countenanced the Crimes he ſtands charg'd with; and particularly, in ſuppreſſing and diſcouraging the Diſcovery of the Plot, and endeavouring to introduce an arbitrary and tyrannical Government, which remains as a Scandal upon Record againſt his Majeſty, tending to render his Perſon and Government odious to his People, againſt which it ought to be the principal Care of both Houſes to vindicate his Majeſty, by doing Juſtice upon the Earl.

'2. That ſetting up a Pardon to be a Bar of Impeachment defeats the whole Uſe and Effect of Impeachments. For, ſhould this Point be admitted or ſtand doubted, it would totally diſcourage the exhibiting any for the future. Whereby the chief Inſtitution for the Preſervation of Government would be deſtroy'd, and conſequently the Government itſelf: and therefore, the Caſe of the ſaid Earl, which in conſequence concerns all Impeachments, ought to be determined before that of the ſaid five Lords which is but their particular Caſe.

'And

'And, without reſorting to many Authorities of great Antiquity, the Commons deſire your Lordſhips to take Notice with the ſame Regard they do, of the Declaration made by King Charles the Firſt, in his Anſwer to the 14 Propoſitions of both Houſes of Parliament, wherein, ſtating the ſeveral Parts of this regulated Monarchy, he ſays, 'The King, the Houſe of Lords, and the Houſe of Commons have each particular Privileges:' And among thoſe which belong to the King, he reckons the Power of pardoning; after the enumerating of which, and other his Prerogatives, his ſaid Majeſty adds this again: 'That the Prince may not make uſe of 'his high and perpetual Power to the Hurt of thoſe for 'whoſe Good he hath it: and make uſe of the Name of 'public Neceſſity, for the Gain of his private Favourites and 'Followers, to the Detriment of his People.

'The Houſe of Commons, an excellent Conſerver of Li'berty, is ſolely entruſted with the firſt Propoſitions con'cerning the Levies of Monies, and the Impeachment of 'thoſe, who for their own Ends, tho' countenanced by any 'ſurreptitiouſly-gotten Command of the King, have violated 'the Law, which he is bound, when he knows it, to protect; 'and to the Protection of which they were bound to adviſe 'him, at leaſt not to ſerve him to the contrary.

'And the Lords being entruſted with the Judicatory 'Power, are an excellent Skreen and Bank between the 'Prince and the People, to aſſiſt each againſt any Encroach'ments of the other; and by juſt Judgments to preſerve the 'Law which ought to be the Rule of every one of the three.

'Therefore the Power legally placed in both Houſes, is 'more than ſufficient to prevent and reſtrain the Power of 'Tyranny.

'3. Until the Commons of England have Right done them againſt this Plea of Pardon, they may juſtly apprehend, that the whole Juſtice of the Kingdom, in the Caſe of the five Lords, may be obſtructed and defeated by Pardons of the like Nature.

'4. An Impeachment is virtually the Voice of every Particular Subject of this Kingdom, crying out againſt an Oppreſſion, by which every Member of the Body is equally wounded: and it would prove a Matter of ill Conſequence, that the Univerſality of the People ſhould have Occaſion miniſter'd to them to be apprehenſive of the utmoſt Dangers from the Crown, whereby they of Right expect Preſervation.

5. The Commons exhibited Articles of Impeachment againſt the Earl of Danby, before thoſe againſt the other five Lords, and demanded Judgment upon theſe Articles; whereupon your Lordſhips, having appointed the Trial, of the

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ſaid Earl to be before that of the other Lords: now your Lordſhips having ſince inverted that Order, give a great Cauſe of Doubt to the Houſe of Commons, and raiſe a Jealouſy in the Hearts of all the Commons of England, that, if they ſhould proceed upon the Trial of the ſaid five Lords in the firſt place, not only Juſtice would be obſtructed in the Caſe of theſe Lords, but that they never ſhall have Right done them in the Matter of the Plea of Pardon, which is of ſo fatal Conſequence to the whole Kingdom, and a new Device to fruſtrate public Juſtice in Parliament.

'Which Reaſons and Matters being duly weigh'd by your Lordſhips, the Commons doubt not but your Lordſhips will receive Satisfaction concerning their Propoſitions and Proceedings, and will agree, that the Commons ought not now cannot, without deſerting their Truſt, depart from their former Vote communicated to your Lordſhips.

'That the Lords ſpiritual ought not to have any Vote, &c.'

Theſe Reaſons, &c. were the ſame Day delivered to the Joint-Committee, of which Sir John Trevor made Report as follows: 'That the Lords of the Committee had given this Anſwer. That they had no Power from their Houſe to give any farther Anſwer to thoſe Matters, or to debate the ſame with the Committee of this Houſe.'

The Conſequence of this Report was a Reſolution, that a Conference be deſir'd with the Lords upon Matters of great Importance to the Kingdom, and for preſerving a good Correſpondency between the two Houſes.

To this the Lords agreed; but, before the ſaid Conference could take place, the King came to the Houſe of Peers; and without a Speech prorogu'd the Parliament to Auguſt 14.

The fourth Parliament, 1679.

October 17, 1679, the new Parliament met and took the Oaths before certain Lords deputed by the Duke of Ormond Lord Steward of the Houſhold, for that purpoſe after which the Parliament were prorogued till January 26.

Prorogu'd.

Meets again.

At which time they met again, and his Majeſty vouchſafed to attend, and expreſs himſelf from the Throne, to the following purpoſe:

The King's Speech.

'THAT, when he declar'd in Council, his Intention of putting off the Parliament to a time ſo remote as November, it was not without mature Conſideration that he could not be perſuaded from any thing that had happened ſince, in reference to Affairs within the Kingdom, to alter or repent of that Reſolution; that, notwithſtanding conſidering the preſent Danger which threatned ſome of our Neighbours and Allies, he thought fit to appoint a Day for their meeting again in April; yet the Diſtractions and Jealouſies at home were of ſuch a nature, and ſo heightned

'heightened and improved by the Malice and Induſtry of ill Men, that he was unalterably of opinion, That a longer Interval of Parliament would be abſolutely neceſſary for compoſing and quieting of Men's Minds: In order to which, he was afraid the moſt proper Remedies would prove ineffectual, without the Aſſiſtance of ſome farther time. He reſolved, therefore, that, on the ſaid Meeting in April, there ſhould be a farther Prorogation, unleſs the Condition of our Allies abroad did then require our immediate Aſſiſtance.'

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The Lord Chancellor, by his Majeſty's Command, prorogu'd the Parliament to the 15th of April; from which Day it was again prorogu'd five times more; but on the 22d of October, met for the Diſpatch of Buſineſs, when his Majeſty was pleaſed to make the following Speech:

The Parliament prorogu'd ſix times.

Meets again, 1680.

'My Lords and Gentlemen,

'THE ſeveral Prorogations I have made, have been very advantageous to our Neighbours, and very uſeful to me; for I have employed that time in making and perfecting an Alliance with the Crown of Spain, ſuitable to that which I had before with the States of the United Provinces, and they alſo had with Spain, conſiſting of mutual Obligations of Succour and Defence. I have all the reaſon in the world to believe, that what was ſo much deſired by former Parliaments, muſt needs be very grateful to you now: For though ſome, perhaps, may wiſh theſe Meaſures had been taken ſooner; yet no Man can with reaſon think that it is now too late; for they who deſire to make theſe Alliances, and they who deſire to break them, ſhew themſelves to be of another opinion. And as theſe are the beſt Meaſures that could be taken for the Safety of England, and Repoſe of Chriſtendom, ſo they cannot fail to attain their End, and to ſpread and improve themſelves farther, if our Diviſions at home, do not render our Friendſhip leſs conſiderable abroad.

The King's Speech to both Houſes.

'To prevent thoſe as much as may be, I think fit to renew to you, all the Aſſurances which can be deſired, that nothing ſhall be wanting on my part to give you the fulleſt Satisfaction your Hearts can wiſh, for the Security of the Proteſtant Religion; which I am fully reſolved to maintain againſt all the Conſpiracies of our Enemies, and to concur with you in any new Remedies, which ſhall be propoſed, that may conſiſt with the preſerving the Succeſſion of the Crown in its due and legal courſe of Deſcent. And, in order to this, I do recommend it to you, to purſue the further Examination of the Plot, with a ſtrict and an im-

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partial Enquiry. I do not think myself safe, nor you neither, till that Matter be gone through with, and therefore it will be necessary that the Lords in the Tower be brought to their speedy Trial, that Justice may be done.

'I need not tell you what danger the City of Tangier is in, nor of what Importance it is to us to preserve it. I have, with a mighty Charge and Expence, sent a considerable Relief thither; but constantly to maintain so great a Force as that War will require, and to make such new Works and Fortifications, without which the Place will not be long tenable, amounts to so vast a Sum, that without your Support, it will be impossible for me to undergo it: Therefore I lay the Matter plainly before you, and do desire your Advice and Assistance.

'But that which I value above all the Treasure in the World, and which I am sure will give me greater Strength and Reputation both at home and abroad, than any Treasure can do, is, a perfect Union among ourselves. Nothing but this can restore the Kingdom to that Strength and Vigour which it seems to have lost, and raise us again to that Consideration which England hath usually had.

'All Europe have their Eyes upon this Assembly, and think their own Happiness or Misery, as well as ours, will depend upon it. If we should be so unhappy, as to fall into such a Misunderstanding among ourselves, as would render our Friendship unsafe to trust to, it will not be to be wondered at, if our Neighbours should begin to take new Resolutions, and perhaps such as may be fatal to us.

'Let us therefore take care that we do not gratify our Enemies, and discourage our Friends by any unreasonable Disputes. If any such do happen, the World will see it was no Fault of mine; for I have done all that was possible for me to do, to keep you in Peace while I live, and to leave you so when I die. But from so great Prudence and good Affection of yours, I can fear nothing of this kind, but do rely upon you all, that you will use your best Endeavours to bring this Parliament to a good and happy Conclusion.'

After this Speech, the Lord Chancellor, by his Majesty's Command, directed the Commons to return to their House, and to proceed to the Choice of a Speaker, when William Williams Esq; was unanimously elected; and was approved the next Day by his Majesty.

The first Debate began October 26, five Days after the Meeting of the Parliament, which the Lord Russel opened with the following Speech:

Mr.

'Mr. Speaker, Sir, ſeeing by God's Providence, and his Majeſty's Favour, we are here aſſembled, to conſult and adviſe about the great Affairs of the Kingdom, I humbly conceive it will become us to begin firſt with that which is of moſt conſequence to our King and Country, and to take into conſideration how to ſave the main, before we ſpend any time about Particulars. Sir, I am of opinion, that the Life of our King, the Safety of our Country and Proteſtant Religion, are in great danger from Popery; and that either this Parliament muſt ſuppreſs the Power and Growth of Popery, or elſe that Popery will ſoon deſtroy, not only Parliaments, but all that is near and dear to us. And therefore I humbly move, that we may reſolve to take into our conſideration in the firſt Place, how to ſuppreſs Popery, and to prevent a Popiſh Succeſſor; without which all our Endeavours about other Matters will not ſignify any thing, and therefore this juſtly challengeth the Precedency.' Anno 32 Car. II. 1680. Lord Ruſſel.

'Mr. Speaker, Sir, I ſtand up to ſecond that Motion, and to give ſome Reaſons, with your Permiſſion, why I agree in it; not doubting but other Perſons will be of the ſame opinion, if they have the ſame Sentiments of what Influence the Popiſh Party have had in the Management of moſt of our Affairs both at home and abroad, for many Years laſt paſt; and how that Party hath increaſed, and been encouraged. Sir, I remember, that, after his Majeſty's happy Reſtoration, it was thought convenient that an Act of Uniformity ſhould paſs, as the beſt Law that could be invented, to ſecure the Church from the Danger of Popery and Fanaticiſm, and accordingly it did paſs in the Year 1662; but in the Year 1663, ſome, that then managed the great Affairs of State, or at leaſt had great Intereſt with his Majeſty, were of another opinion: For they had prevailed with him to grant a Toleration and Indulgence, and to make a Declaration to that purpoſe. The Parliament aſſembling ſoon after, thought it very ſtrange, that in one Year an Act of Uniformity ſhould be the beſt way to preſerve the Church, and that in the next Year, a Toleration and Indulgence: therefore, after a ſerious Debate about it, in February 1663, they made an Addreſs to his Majeſty, humbly repreſenting how it would reflect upon the Wiſdom of that Parliament, to have ſuch an Alteration made ſo ſoon; and that ſuch Proceedings, for aught they could foreſee, would end in Popery. Upon which his Majeſty, out of his great Goodneſs, ſtopped the iſſuing out of the ſaid Toleration, hearkening rather to the Advice of his Parliament, than to any private Counſellors. Sir, I cannot inform you who it was that gave that Advice to his Majeſty, nor certainly affirm they were popiſhly affected; but, if I may take the liberty to judge of Sir Henry Capel,

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a Tree by its Fruit, I have ſome reaſon to think ſo; becauſe I find by Coleman's Letters, and other Diſcoveries, that a Toleration and Indulgence ſhould be one of the great Engines they intended to uſe for the eſtabliſhing of Popery in this Nation. But the Project thus failing at this time, they were forced to wait with Patience until they could have another opportunity; employing in the mean time their diabolical Counſels, in weakening the Proteſtant Intereſt, (in order to a general Deſtruction of it) by engaging us in a War with Holland. In which the French acted the ſame Part in the Behalf of the Dutch, as they did afterwards in our Behalf againſt them, 1672; very fairly looking on both times, while we poor Proteſtants with great Fury deſtroyed one the other. But this was not ſo ſtrange, nor ſo plain as the dividing of our Fleet under the Command of Prince Rupert and General Monk, and the Deſign of deſtroying them as well as their Ships, and the reſt of our Navy Royal at Chatham. And as they thus acted their part at Sea, ſo they did not forget to do their beſt aſhore; in April 1666, ſome Perſons that were then hanged, fairly confeſſed they had been treated with, and had treated with others, to burn the City of London in September following, of which Confeſſion we then took as little notice, as we have of other Diſcoveries againſt Papiſts ſince; however, accordingly in September, thirteen thouſand Houſes of the City of London were burnt; and thoſe that were taken in carrying on that Work, generouſly diſcharged without any Trial; and one Papiſt, that confeſs'd that himſelf and others did ſet the City on fire, was in great haſte hanged, and ſo the Buſineſs was huſhed up as completely as the late great Plot is like to be now, branding Hubert, that then made that Confeſſion, with Madneſs; as now theſe laſt Witneſſes with Perjury, Sodomy, and what not. However, theſe Buſineſſes were not ſo carried, but his Majeſty diſcerned ſome of the Intrigues of them, which made him alter his Councils, and, contrary to the Endeavours of that Party, enter into new Alliances, by making up that excellent League, uſually called the Triple League; which put a ſtop to theſe Mens Deſigns as to Affairs abroad, but not to their Deſigns here at home. For having obtained the Oxford Act, and ſome others againſt the Diſſenters, great Endeavours were uſed to have them executed ſeverely, in expectation that the Diſſenters would ſoon be made weary of living quietly under them, and in the end be glad of a Toleration; but the Diſſenters deceived them, and ſubmitted to the Laws; inſomuch that in 1670 to 1671, there was hardly a Conventicle to be heard of in England: And might never have been more, if that Party had not been afraid of

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a great Diſappointment thereby; wherefore to revive our Diviſions, and to bring in (as they hoped) their own Religion, they employed all their Force again to get a Toleration. I ſay they did it; becauſe it cannot be imagined it could be from any Proteſtant Intereſt; both Church-men and Diſſenters publickly declaring their Deteſtation of it. And in 1672, it was obtained, printed, and publiſhed. After we had, in order to the carrying it on, broke that never to be forgotten triple League, ſacrificed our Honour to the French, not only by making a ſtrong Alliance with them, but by ſeizing the Dutch Smyrna Fleet, and then afterwards proclaiming War with them. Which War continued in order to ruin us both; for the French proved but Lookers-on at Sea, (as they had done when engaged with the Dutch in 1665,) though great Conquerors at Land, eſpecially of the Proteſtants in Germany and Holland. And as this Toleration was accompanied with theſe great Alterations in Affairs abroad, ſo it was backed, 1. With a great Miniſter of State at the Helm at home, who was ſo confident of the reſixing Popery here, that he could not forbear to declare himſelf to be of that Religion; I mean my Lord Treaſurer Clifford: as alſo, 2. With a great Army at Blackheath, ready upon all occaſions: and, 3. With the greateſt Violation on the Property of the Subject, that ever happened in this Nation, the ſeizing of one Million and an half, or thereabout, in the Exchequer. All which indeed made our Condition deſperate, and, as many thought, paſt Retrieve. But Mr. Speaker, here again the Goodneſs and Wiſdom of his Majeſty ſaved us, refuſing to follow ſuch pernicious Counſels; upon which Clifford not only loſt his Place, but his Life too, breaking his Heart (as is by moſt believed) to ſee himſelf ſo diſappointed in this great Deſign. And here, as we can never too much deteſt my Lord Clifford, and ſuch others, who contrived our Ruin; ſo we can never ſufficiently admire his Majeſty's Royal Care, in working out our Security, by refuſing to follow any Advice that tended to thoſe Ends. And therefore, to the great Diſappointment of that Party, at the Requeſt of the Houſe of Commons at their next Meeting, he recalled the ſaid Toleration, diſbanded the Army, and in convenient time made a Peace with Holland. But though this Party were thus defeated of their Deſign, yet not ſo diſcouraged as to give it over. They changed their Meaſures, but not their Principles; and although they deſiſted from farther aiming at a Toleration, yet they no ways neglected purſuing a Reformation; but in order thereto, proſecuted a Correſpondence formerly begun for that purpoſe with the French King, and, by promiſing him conſiderable Supplies, to carry on the War he was then engaged in, ſecured themſelves,

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themſelves, as they thought, of his Aſſiſtance for the ſettling of Popery here. Accordingly, it is not unknown, what a Party of Men, and what Quantity of Ammunition, and other Neceſſaries for War, were ſent to the French King, during the War he was then engaged in; and how it was done contrary to the Advice of the Parliament, and the Solicitations of moſt of the Princes in Europe, and true Intereſt of England, to the Aſtoniſhment of all good Men; eſpecially becauſe it was contrary to his Majeſty's own Proclamation, and when the French had declared they made that War for Religion, endeavouring to force the Dutch to allow of Popiſh Churches. However ſuch was the Strength of this Party, that this Aſſiſtance was continued until the French King was willing to make a Peace, and then who more inſtrumental than our Miniſters to effect it? Several Embaſſadors, and Plenipotentiaries too, being ſent as well to the Court of Spain, as Germany and Holland, for that purpoſe. And at laſt, the Dutch being weary, and conſumed with the War, they were perſuaded to be willing for a Peace, and accordingly the 10th of January 1676, entred into a Treaty with us for a general Peace, to be accompliſh'd by ſuch ways and means as are therein preſcribed. Which League was kept private for ſome time, and inſtead of any Diſcovery thereof, about the end of February following, (the Parliament being then ſoon after to aſſemble) a great noiſe was made of entring into a War with France, it being concluded, that nothing like that would incline the Parliament to give Money, nor the People freely to part with it, becauſe it was the only way to extinguiſh thoſe Fears they lay under, by reaſon of the growing Greatneſs of France. At the Meeting of the Parliament, the Project was ſet on foot with all the Art and Induſtry imaginable; and ſo far were the major Part of the Members perſuaded of the Reality thereof, that they were inclinable to give a great Sum of Money for the carrying on of the War; but while they were in conſultation about it, the League formerly mentioned, agreed at the Hague, was unluckily made (in ſome meaſure) public, and occaſioned a great Jealouſy of the Reality of the pretended War. And the greater, becauſe upon an Enquiry, they could not find there were any Alliances made to that purpoſe. And yet notwithſtanding this, and the great Endeavours of ſome worthy Members of that Parliament, (now of this;) an Army of thirty thouſand Men were raiſed, and a Tax of above 1,200,000 Pounds was given. And then, inſtead of a War, a general Peace, according to that Treaty agreed with Holland, was preſently made. By which that Party thought they had ſecured, not only the Power of France, but the Men and Money

hey here raiſed at home, to be made ſerviceable for their ends; there wanting nothing but a Popiſh King to perfect all theſe Deſigns. For which we have great reaſon to believe they had made all neceſſary Preparation, as well by employing Men and Money, to find out wicked Inſtruments to take away the King's Life, as by providing one * Cleypole to be a Sacrifice, to make an atonement for the Act, and to caſt the Wickedneſs thereof on the Fanatics. To which purpoſe the ſaid Cleypole was really impriſoned ſome time before in the Tower, upon the Evidence of two Witneſſes, that he ſhould ſay, that he and two hundred more had engaged to kill the King, the next time he went to New-Market. For which, in all probability, he had as really been hanged, if the breaking out of the Plot had not prevented their Deſigns. Then was Cleypole, the next Term after, publickly cleared at the King's-Bench Bar, the Witneſſes appearing no more againſt him. Thus were we again reduced to a miſerable condition; but it pleaſed God, by the Diſcovery of the Plot by Dr. Oates, once more to ſave us; whoſe Evidence (he being but one Witneſs) they thought at firſt to have out-braved; but ſome of them being ſo infatuated as to kill Juſtice Godfrey, and Coleman ſo unfortunate as to leave ſome of his important Papers in his Houſe, notwithſtanding the time he had to convey them away, it wrought ſo great a Fermentation in the People, as that there was no Remedy, but that the farther Purſuit of the Plot muſt be again laid aſide, and a fair Face put upon things. And ſo accordingly there was for a few Months; but how, after Wakeman's Trial, Things turned again, what Endeavours have been ſince uſed to ridicule the Plot, to diſparage the old Witneſſes, to diſcourage new ones, to ſet up Presbyterian Plots, and to increaſe our Diviſions, I ſuppoſe muſt be freſh in every Man's Memory here, and therefore I ſhall not offer to trouble you therewith. Anno 32 Car. II. 1680.

'But, Sir, I cannot conclude without begging your Patience, while I obſerve how things have been carried on in Scotland and Ireland, anſwerable to what was done here.

'In Ireland, the Papiſts are at leaſt five to one in Number to the Proteſtants, and may probably derive from their Cradle an Inclination to maſſacre them again: at leaſt the Proteſtants have no Security, but by having the Militia, Arms, and the Command of Towns and Forts in their hands. But about the ſame time, or a little before that the Toleration came out here, in 1672, an Order went from hence, which, after a long Preamble of the Loyalty and Affection of the Papiſts to his Majeſty, required the Lord

* *A Gentleman of Fortune in Northamptonſhire, who marry'd the Protector Cromwell's favourite Daughter, and was beſide, his Maſter of the Horſe, and one of his Houſe of Lords.*

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Lieutenant and Council to diſpenſe with the Papiſts wearing of Arms, and living in Corporations, and a great many other things in their favour; of which they have made ſuch uſe, as that the Plot there was in as good readineſs as that here: but how carried on, and how Endeavours were there alſo uſed to ſtifle it, will appear when your Leiſure may permit you to examine thoſe Witneſſes.

'In Scotland, the Government is quite altered, the Uſe of Parliaments in a manner aboliſhed, and the Power of that Government lodged in a Commiſſioner and Council, a ſtanding Army of twenty two thouſand Men ſettled, all Endeavours uſed to divide the Proteſtant Intereſt, and to encourage the Papiſts By which we may conclude, that the ſame Intereſt hath had a great hand in the Management of Affairs there alſo.

'And, Sir, may we not as well believe, that the World was at firſt made of Atoms, or by chance, without the Help of an omnipotent Hand, as that theſe Affairs in our little World have been thus carried on, ſo many Years together, ſo contrary to our true Intereſt, without ſome great original Cauſe, by which the Popiſh Intereſt hath ſo far got the Aſcendant of the Proteſtant Intereſt, that, notwithſtanding, all his Majeſty's Endeavours, Things have been ſtrangely overruled in favour of that Party; how and which way, his Majeſty's Declaration made in April 1679, is to me a great Manifeſtation.

'Sir, I hope the Weight of the Matter I have diſcourſed on, will plead my Pardon with the Houſe for having troubled you ſo long: I ſubmit what I have ſaid to your Judgment, humbly deſiring a favourable Conſtruction; and although I have ſaid ſome things that are very ſtrange, and other things grounded only on Conjectures, yet I believe that no Man will have juſt reaſon to doubt the Probability of the Truth, if they will but conſider what a potent Friend the Papiſts have had of James Duke of York, and how emboldened by the hopes of having him for King. And as it is not to be doubted but that they have had his Aſſiſtance, ſo they have had the French Embaſſador's too; who, by his frequency at the Palace, had ſeemed rather one of the Family and King's Houſhold, than a Foreign Embaſſador; and by his Egreſs and Regreſs to and from his Majeſty, rather a Prime Miniſter of State of this Kingdom, than a Counſellor to another Prince. And the Truth of all hath been ſo confirmed by Coleman's Letters, making the Duke's Intereſt, the French Intereſt, and the Papiſts Intereſt ſo much one, and by the many Witneſſes that have come in about the Plot, that I think we may rather be at a loſs for our Remedy, than in doubt of our Diſeaſe. And therefore, though I know the difficulties I may bring myſelf under, by having thus

thus laid open ſome Men's Deſigns; yet ſeeing my King and Country have called me to this Service, I am reſolved, that as my Father loſt his Life for King Charles I. ſo I will not be afraid to adventure mine for King Charles II. and that makes me expoſe myſelf in his Service in this place. Anno 32 Car. II. 1680.

'Sir, I think (ſeeing things are thus) without neglecting our Duty to our King and Country, nay to our God too, we cannot defer endeavouring the ſecuring the King's Perſon, and Proteſtant Religion, by all lawful means whatſoever; and therefore I ſecond the Motion that was made, that we may, in the firſt place, take into our conſideration, how to ſuppreſs Popery, and prevent a Popiſh Succeſſor; that ſo we may never return again to Superſtition, Idolatry and Slavery, but may always preſerve that pure Religion, to be the Religion of this Nation, for which ſo many of our Fore-fathers have ſuffered Martyrdom, I mean the Proteſtant Religion, as long as the Sun and Moon endures.'

'Mr. Speaker, Sir, the Popiſh Party have not only had a great influence on the Management of our Affairs, both foreign and domeſtic, while they could do it under a Diſguiſe; but notwithſtanding the Diſcovery of their whole Plot, have ever ſince gone on triumphant, as if they were not afraid of any Oppoſition that can be made againſt them. Although the moſt part of Dr. Oates's Diſcovery was no news to moſt Men; and the great Correſpondence which Coleman had held with foreign Parts, had been generally obſerved for ſome Years: yet what Difficulties were there raiſed againſt believing of Oates's Teſtimony, and againſt apprehending of Coleman's Perſon, and ſeizing of his Papers; by which he had opportunity to carry away the moſt part, and by that means prevented a great deal of Evidence, which we ſhould otherways have had againſt that Party; though by chance he left enough to hang himſelf. And as their Power, or the Reſpect which was borne them, appeared in this; ſo their great Confidence in the never-to-be-forgotten Death of Sir Edmund-bury Godfrey, which doubtleſs they accompliſhed, (as to conceal Evidence, ſo to intimidate Juſtices and others from doing their Duty,) with great aſſurance, that thoſe who did it ſhould never have been brought to Juſtice. And I muſt confeſs, we took a ſtrange unheard-of way, either to do that, or prevent the going on of the Plot: For in October, after the Plot broke out, no leſs than fifty-ſeven Commiſſions were diſcovered for raiſing of Soldiers, granted to ſeveral Popiſh Recuſants, with Warrants to muſter without taking the Oaths of Allegiance and Supremacy, or Teſt; counter-ſigned by the then Secretary of State. Of which the Parliament taking notice, they were ſoon after diſſolved, in the midſt of the Examination of the Sir Francis Winnington.

Anno 32 Car. II. 1680.

Plot. And the next that was called, though compoſed of true Engliſh Gentlemen, as ſoon as they fell ſevere upon Popery, had no better ſucceſs; certainly, Sir, not by the Prevalency or Advice of any true Engliſh Proteſtants; and who then may be preſumed to have given ſuch Advice, I leave to your Judgment. Theſe two Parliaments being thus diſſolved, a third was ſummoned, but was not permitted to ſit, but, on the contrary, put off by ſeveral Prorogations. At which the People being diſcontented, their Fears and Jealouſies ariſing from the Papiſts increaſing, from which they knew they could not be effectually ſecured but by a Parliament; ſeveral Counties and Cities joined in petitioning his Majeſty for a Parliament. But it being foreſeen that every thing that tended to make way for the Meeting of Parliaments, was dangerous, ſuch was the Influence of that Party, as that they obtained a Proclamation, penned I think by Coleman himſelf, or by ſomebody that had no more love for the Proteſtant Religion than he, forbidding petitioning as ſeditious and tumultuous. And that nothing ſhould be wanting to ſhew their Power, at length, by the Endeavours of ſome great Men, ſome credulous and ambitious Men were drawn in to be Abhorrers. Good God! Where were theſe Men's Senſes, that in a time when the Nation was in ſuch imminent danger, there ſhould be any good Proteſtant that ſhould abhor petitioning for a Parliament? But I hope this Houſe will have a time to ſpeak with thoſe Gentlemen, and mark them with the Brand they deſerve. And now that it was found, that there were a good, eaſy ſort of credulous People that might be wrought upon, it was thought high time to have a Counter-Plot, that might ſwallow up that of the Papiſts, and reſtore them to their former Credit. How far this was carried on by good Men and bad, I am loth to particularize; but I cannot but obſerve, that Dangerfield had more Money and Encouragement given, while he was carrying on of that Plot, than I could ever hear he hath had ſince the Diſcovery of it. But though it be not ſtrange, that the Papiſts ſhould be ſo wicked, as to contrive ſuch a Deſign, for the caſting of the Plot upon the Proteſtants, though with the Loſs of ſo many honeſt Mens Lives, as was intended; yet it is ſtrange to ſee how willing many Proteſtants, eſpecially of thoſe who have reaſon to think themſelves of the beſt ſort, were to believe it; and how little pleaſed with Dangerfield, for the great ſervice he did in diſcovering that wicked Plot. So powerful and ſo lucky are the Popiſh Party, in infuſing of Animoſities amongſt us, tending to divide us, and ſo willing are we to entertain them to our Deſtruction. And as the Popiſh Party have been very induſtrious in the contriving of Reports and Plots, to remove the

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ill Reports they lie under, and have had a great influence in managing of Parliamentary Affairs; ſo we may preſume they have had in the diſpenſing of Juſtice, as may appear by conſidering what hath been done by our Judges of late. Anno 32 Car. II. 1680.

'At Wakeman's Trial, thoſe Perſons who at former Trials had been treated with that reſpect that is due to the King's Evidence, and whoſe Credit and Reputation had ſtood clear without Exception in all other Trials, were now not only brow-beaten, but their Evidence preſented to the Jury as doubtful, and not to be depended on; and ſo at all other Trials of Papiſts from that time forward. By which many of the greateſt Offenders were quitted and cleared as to the Plot, and thoſe that were brought for defaming the King's Evidence, and ſuborning Witneſſes in order thereto, very kindly treated, and diſcharged with eaſy Sentences, eſpecially if Papiſts; but if Proteſtants, though only for printing or vending ſome unlicenſed Book, were impriſoned and largely fined. But I beg leave to particularize in the Caſe of one Carr, who was indicted for printing a weekly Intelligence, called, *The Packet of Advice from Rome; or, the Hiſtory of Popery.* This Man had a ſtrange knack of writing extraordinary well upon that Subject, and the Paper was by moſt Perſons thought not only very ingenious, but alſo very uſeful at this time, for the Information of the People, becauſe it laid open very intelligibly the Errors and Cheats of that Church. However, upon an Information given to the Court of King's-Bench againſt this Carr, this Rule was made:

Ordinatum eſt, quod liber intitulat' The Weekly Packet, *&c. non ulterius imprimatur, vel publicetur, per aliquam perſonam quamcunque. Per. Cur.*

'I think it amounts to little leſs than a total Prohibition of printing any thing againſt Popery.

'The true Engliſh Proteſtants being thus prevented of having Parliaments to redreſs their Grievances, and to ſecure them againſt the Fears of Popery, as alſo from petitioning for Parliaments, or writing for the Proteſtant Religion, they had Recourſe to their old Way of preſenting Grievances by Juries. But Advice being given, that ſome great Papiſts were concerned in the Preſentment, particularly the Duke of York, the Jury was diſmiſſed in an extrajudicial Manner, and ſo no Remedy in the World allowed for poor Proteſtants. What an unhappy Star were we born under, that Things ſhould be thus carried againſt us, in the whole Courſe of our Government, whilſt we have a wiſe Proteſtant King over us? What may not be expected under a Popiſh King, if it ſhould be our Misfortune to have any? And therefore, I think,

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think, Sir, we ought to endeavour to prevent it, by conſulting in the firſt place how to ſuppreſs Popery, and prevent a popiſh Succeſſor, which is my humble Motion.'

Ralph Montagu.

Mr. Speaker, Sir, you have heard what an influence the Popiſh Party hath had in the Management of all our Affairs of greateſt Importance, almoſt ever ſince his Majeſty's happy Reſtoration; how the making of Peace, or War, or foreign Alliances, hath been over-ruled by that Party, to the great danger of the Nation, and Proteſtant Religion both at home and abroad: Inſomuch as it may be juſtly feared, that there is a general Deſign to root out that Religion from the face of the Earth; which may not be difficult to be done, if by eſtabliſhing Popery here, Aſſiſtance to the Proteſtants abroad may be prevented; or by deſtroying the Proteſtants abroad (which are ſo many Bulwarks to us) we ſhould be left to reſiſt alone. You have alſo heard how that Party hath influenc'd the Reſolutions made touching Parliaments and Affairs here at home. The truth is, Sir, that Intereſt is crept into our Court, and hath a great power in our Councils; it is crept into our Courts of Juſtice, and hath a great Command in our Army, our Navy, our Forts, and our Caſtles, and into all Places upon which our Security depends. And it is impoſſible it ſhould be otherwiſe, as long as we have a Popiſh Succeſſor, and that Party the Hopes of a Popiſh King. And I humbly conceive that it is very obvious, that as long as that Party hath ſuch a power, not only our Religion, but the Life of his Majeſty, and the whole Government, is in danger. And therefore I think we cannot better comply with our Duty to our King and Country, than in reſolving to uſe our utmoſt Endeavours to extirpate Popery, and prevent a Popiſh Succeſſor; and therefore I would deſire you would be pleaſed to put the Queſtion.'

Reſolved, nem. con. That it is the opinion of this Houſe, that they ought in the firſt place to proceed effectually to ſuppreſs Popery, and prevent a Popiſh Succeſſor.

The 27th of October, 1680.

Hugh Boſcawen Eſq;

'Mr. Speaker, Sir, yeſterday you made a Reſolve, declaring what you intended to do in reference to Popery; by which you may conclude, you have made many Enemies at Court, or of ſuch as uſually frequent it. And it may juſtly be expected, that they will rather uſe their Endeavours to deſtroy you, than permit you to deſtroy them. And if we may take our Meaſures from the Power they have diſcovered, in the Diſſolution of the laſt Parliaments, and many Prorogations of this, in a time when there was never more need of the ſitting of Parliaments, becauſe of the great danger that did ariſe from that Party, we may conclude, it may be poſſible for them to do the like again. Therefore, that we may not be

be wanting in doing what we can, in order to create in his Majeſty a good Opinion of this Houſe; let us make an humble Addreſs to his Majeſty, to aſſure him of our Loyalty, and Readineſs to ſtand by him with our Lives and Fortunes. And, that, when his Majeſty ſhall be pleaſed to grant us ſuch Bills, as are abſolutely neceſſary for the Security of the Proteſtant Religion, we will be ready to ſupply him, with what Money his Occaſions may require for the ſupport of his Government, and the Proteſtant Religion both at home and abroad. Anno 32 Caroli. 1680. Moves for an Addreſs to promiſe a Supply.

'Sir, I do not move this without ſome Reaſon: I am jealous that thoſe which are for the Popiſh Intereſt, do endeavour to repreſent this Parliament to his Majeſty as fanatical and ſeditious; that we will do nothing but arraign his Government, wound his Miniſters, deſtroy his Brother, and endanger his Royal Perſon; and that no Supplies can be expected from us. Which falſe Suggeſtions of that wicked Party, we may do well to prevent And therefore, I humbly move you, that a Committee may be appointed to draw up ſome ſuch Addreſs upon the Debate of the Houſe.'

To which ſeveral Perſons made Oppoſition, alledging that in the late long Parliament, they had often been drawn in, to give Money by ſuch Addreſſes; and that, in that Parliament no ſuch Addreſſes were ever made, but it ended in Money; becauſe the Word of a Houſe of Commons pledged to the King, is always to be underſtood, as may beſt preſerve the Reputation of the Houſe, which ought to be kept inviolable. It is oppos'd.

It was anſwered, That it was not ſtrange that it was ſo in the long Parliament, being compoſed of ſo many Penſioners, who were to have a Share of what they gave; but the caſe being now altered, and the Parliament compoſed of Perſons that diſdained ſuch wicked Practices, and the Houſe being Maſters of their own Votes, there could be no Danger of making ſuch an Addreſs in that Houſe.

Reſolved, That an Addreſs be made to his Majeſty, declaring the Reſolution of this Houſe, to preſerve and ſupport the King's Perſon and Government, and the Proteſtant Religion at home and abroad. And carry'd.

'Mr. Speaker, I crave leave to mind you of a great Infringement which hath been made of the Liberty of the Subject, ſince the laſt Seſſion of Parliament. Sir, many good Proteſtants thinking it very ſtrange, that two Parliaments ſhould be diſſolved, without doing any thing material againſt Popery, and a third ſo often prorogued in a Time of ſuch imminent Danger; and foreſeeing the Ruin ſuch Delays might bring upon them, reſolved to petition his Majeſty; and accordingly in ſeveral Counties and Corporations, Petitions, Sir Gilbert Gerrard.

Anno 34 Car. II. 1682.

tions, humbly praying his Majesty to let the Parliament sit, were drawn up, and signed by many thousands of his Majesty's good Subjects, in a peaceable and quiet Way, and delivered to his Majesty by no greater Number of Persons than is allowed. But although this was conformable to Law, and the Duty of good Subjects, considering what Danger his Majesty's Person and the Protestant Religion was in, yet it was traduced to his Majesty as seditious and tumultuous, and forbidden by a Proclamation, and great Affronts and Discouragements given to such, as either promoted or delivered the said Petitions; and at last several Persons in many Places were set up to declare at the Assizes, and other public Places, an Abhorrency and Detestation of such Petitioning.

'Sir, I humbly conceive the Subjects of England have an undoubted Right, to petition his Majesty for the sitting of Parliaments, and redressing of Grievances; and, that considering the Circumstances we are under, we have no Reason to lose it. If it should be our Unhappiness to have a popish King, may he not be surrounded with Popish Counsellors, so as that poor Protestant Subjects may be debarred of all other Ways whatsoever of making known our Complaints to him; and must we lose this too? Sir, I think it is so necessary, and material a Privilege to the Subject, as that we ought, without loss of time, to assert our Rights to it: and therefore I humbly move you to make some Vote to that Purpose.'

Sir Francis Winnington.

'Mr. Speaker, Sir, I am not only of Opinion with that worthy Member that spoke last, as to making a Vote for asserting the Right of the Subject to petition their Prince, but also for chastizing of those who have been so wicked and abominable, as to traduce it and abhor it. And to that purpose, I think, Sir, it will be convenient that we find out who advised or drew that Proclamation against it, and examine how a Petition that was made in Berkshire, was ordered to be taken off the File at a Quarter-Sessions, if worthy to be so called, there being but four Justices of the Peace, and two of them such obscure Persons as I cannot get their Names. And also make some Inspection into those Addresses that have been made against Petitioning, and by whom contrived, signed, or delivered. But this must be a Work of time; for the present, I humbly move you to pass one Vote to assert the Right of the Subject to petition the King, another of Censure on those Persons that have traduced it, and to appoint a Committee for your farther proceeding herein.'

Petitioning the King, voted to be the Right of the Subject.

Resolved, That it is, and ever hath been, the undoubted Right of the Subjects of England to petition the King, for the Calling and Sitting of Parliaments, and redressing of Grievances.

Resolved,

Reſolved, That to traduce ſuch Petitioning as a Violation of Duty, and to repreſent it to his Majeſty as tumultuous or ſeditious, is to betray the Liberty of the Subject, and contributes to the Deſign of ſubverting the antient legal Conſtitution of this Kingdom, and introducing arbitrary Power. Anno 32 Car. II. 1680.

'*Reſolved*, That a Committee be appointed to enquire after all ſuch Perſons, that have offended againſt the Right of the Subject.

'Mr. Speaker, Sir, I am very glad theſe Votes have paſt ſo unanimouſly; for Popery and Arbitrary Government can never be ſet up in this Nation, if we could be ſure of frequent Parliaments. And therefore the aſſerting of the Right of the Subject in any thing which tends to that, may be of great uſe to this Nation. But, Sir, ſeeing you have taken this Buſineſs into your Conſideration, I think we may do well to go a little farther with it, even at this time. I am informed ſome Members of the Houſe are guilty of having acted contrary to thoſe Votes; and I am of Opinion, that as they were not willing that we ſhould ſit here; ſo that we ſhould be as willing not to have them ſit amongſt us. For, if it were a great Crime in others, much more in thoſe that were choſen to aſſert the Rights and Liberties of the People. It is very unlikely that Men of ſuch Principles ſhould make good Parliament-Men; and I think it will very well conſiſt with the Juſtice of the Houſe, to begin with a Reformation amongſt ourſelves; and therefore I humbly move we may firſt proceed againſt ſuch.' Silas Titus.

Being commanded to name ſuch Members, he named Sir Francis Withins, who not being in the Houſe, was ordered to attend the next day.

The ſame day, the Houſe agreed, *nem. con.* to the following Addreſs: 'May it pleaſe your Majeſty, We your Majeſty's moſt dutiful and loyal Subjects, the Commons in Parliament aſſembled, being highly zealous for the Preſervation of the Proteſtant Religion, your Majeſty's Perſon and Government; and, reſolving to purſue with a ſtrict and impartial Enquiry into the execrable Popiſh Plot, which was detected in the two laſt Parliaments, and has been ſupported and carry'd on by potent and reſtleſs Practices, and Machinations, eſpecially during the late Receſſes of Parliament, whereby ſeveral Perſons have been terrify'd and diſcouraged from declaring their Knowledge thereof; do moſt humbly beſeech your Majeſty, That, for the Security of ſuch Perſons who ſhall be willing to give Evidence, or make farther ſatisfactory Diſcovery concerning the ſame, to this Houſe, your Majeſty would be pleas'd to iſſue out your Royal Proclamation, aſſuring all the ſaid Perſons of your gracious' An Addreſs for Pardon, to ſuch as ſhould make Diſcoveries of the Plot.

Anno 32 Car. II. 1680.

Pardon, if they ſhall give ſuch Evidence within two Months after the date of ſuch Proclamation.'

His Majeſty's Anſwer.

To this Addreſs his Majeſty was pleas'd to reply, 'That he did intend to direct ſuch a Proclamation, and was reſolv'd not only to proſecute the Plot, but Popery alſo. And to take care of the Proteſtant Religion eſtabliſh'd by Law: And, that if the Houſe join'd with him, and went calmly on in their Debates, without Heats, he did not doubt, but to beat down Popery, and all that belong'd to it.'

The 28th, It having been prov'd, That Sir Robert Can a Member, had publicly declar'd, That there was no Popiſh Plot, but, a Presbyterian Plot; and having, in his Defence utter'd ſeveral reflecting Words againſt Sir J. Knight, another Member, who confirm'd the Evidence againſt him, the

Sir Robert Can expell'd.

ſaid Sir Robert Can was firſt order'd to the Tower, and then expell'd the Houſe.

A ſecond Addreſs.

The 29th, The Houſe agreed, *nem. con.* upon the following Addreſs to his Majeſty: 'May it pleaſe your moſt excellent Majeſty: We your Majeſty's moſt dutiful, &c. do with thankful Hearts acknowledge not only your Majeſty's many former Royal Declarations of your Adherence to the Proteſtant Religion, in the Preſervation and Protection thereof, but your farther Manifeſtation of the ſame, in your moſt gracious Speech to both Houſes, at the Opening of this preſent Parliament, in which your Majeſty is pleas'd to command us, ſtrictly, and impartially, to proſecute the horrid Popiſh Plot; without which, we do fully aſſent to your Majeſty's great Judgment, that neither your Majeſty's Perſon, nor Government can be ſafe, nor your Proteſtant Subjects; it being Part of the Religion of Popery, wherever it can obtain, to extirpate all Proteſtants both Prince and People, which have caus'd in the Times of your Royal Anceſtors, ſince the Reformation, that great Care to oblige their Subjects, againſt their Return to the Papal Yoke, by the very ſame Oaths, wherein they ſwear Allegiance to the Prince: And, as now the Eyes of all Proteſtant Kingdoms and States abroad, are upon us, and looking upon your Majeſty, as the Royal Head of ſo many Proteſtant Countries, cannot but hope (upon a happy and ſolid Security in our Religion at home) that your Majeſty will be the greater Protection to them, from whom we may expect a mutual Aſſiſtance, as being involv'd in the ſame common Danger. As, we do humbly aſſure your Majeſty, That we ſhall be always ready to preſerve your Majeſty's Perſon and Government; and to ſupport the Proteſtant Religion, both at home and abroad; and, do humbly beſeech your Majeſty, to effect

all Perſons whatſoever, who ſhall otherwiſe repreſent us to your Majeſty, as thoſe who deſign to divide the Union between the King and his People, and defeat the Meeting and Sitting of Parliaments, that thoſe Popiſh Deſigns may ſucceed, which they know cannot otherwiſe proſper; and, this they have made moſt undeniably evident in the Interval of Parliament, by contriving with unparallel'd Inſolence, and moſt damnable and wicked Deſigns, to tranſfer their own Crimes upon ſo many of your Majeſty's Subjects, loyal Proteſtant Nobility and Gentry, hoping thereby to deſtroy thoſe who with the greateſt Zeal and Integrity, endeavour to diſcover and proſecute them.'

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To this Addreſs, the King was pleas'd to anſwer as follows:

'Gentlemen,

'I thank you very kindly, for your great Zeal for the 'Proteſtant Religion: And I do aſſure you, there ſhall be 'nothing wanting on my Part, abroad, or at home, to pre-'ſerve it.'

The King's Anſwer.

The ſame day, the Houſe *Reſolved*, as follows:

That Sir Francis Withins, by promoting and preſenting to his Majeſty an Addreſs, expreſſing an Abhorrence to petition his Majeſty for the Calling and Sitting of Parliaments, hath betray'd the undoubted Rights of the Subjects of England.

They then *Ordered*, That the ſaid Sir Francis Withins be expell'd the Houſe, for this high Crime. And, that he do receive his Sentence at the Bar of this Houſe, upon his Knees, from Mr. Speaker, which was done accordingly.

Sir Francis Withins expell'd.

The 30th, The Houſe *Reſolved*, for the firſt time, That their Votes ſhould be printed, being firſt perus'd and ſign'd by the Speaker: And, That the Speaker nominate and appoint Perſons to print the ſame.

Votes firſt order'd to be printed.

Nov. 1. Mr. Trenchard acquainted the Houſe, from the Committee, appointed to enquire after ſuch Perſons, as have offended againſt the Right of the Subject, to petition the King, for the calling and ſitting of Parliaments, That Information was given to the ſaid Committee, that the Lord Puſton, Sir Robert Malverer, Sir Bryan Stapleton, Mr. Taylor and Mr. Turner, Members of the Houſe, had diſcourag'd petitioning to his Majeſty, for the calling and ſitting of this Parliament; and had made Addreſſes to his Majeſty, declaring their Diſlike of ſuch Petitions; and deſired the Directions of the Houſe how they ſhould proceed therein.

Mr. Trenchard.

Ordered, That the ſaid Committee do receive ſuch Informations as ſhall come before them againſt the ſaid ſeveral Members, and all other the Members of this Houſe, that have

Order to proceed againſt Members, who had addreſs'd the King, againſt Parliaments.

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have offended therein, and make Report hereof to the Houſe.

The 2d, Sir Francis Winnington made a Report of what was found in the Lords Journal relating to the horrid Popiſh Plot.

Sir Francis Winnington.

Mr. Treby reports what by order of the ſecret Committee he reported to the laſt Parliament relating to the Popiſh Plot.

Mr. Treby.

After ſome Debates thereupon, *Reſolved*, 'That the Duke of York's being a Papiſt, and the Hopes of his coming ſuch to the Crown, hath given the greateſt Countenance and Encouragement to the preſent Deſigns and Conſpiracies againſt the King and Proteſtant Religion.'

Votes againſt the Duke of York.

Reſolved, 'That, in Defence of the King's Perſon and Government, and Proteſtant Religion, this Houſe doth declare they will ſtand by his Majeſty with their Lives and Fortunes; and that if his Majeſty ſhould come to any violent Death, which God forbid, they will revenge it to the utmoſt on the Papiſts.'

Bilas Titus.

'Mr. Speaker, Sir, I have obſerved from the Reports that have been read, and all the Evidence that I have heard about the Popiſh Plot, that it hath its Original, as you have voted, from James Duke of York; and it is not probable, in my Opinion, that the Popiſh Intereſt can ever decline, as long as there is a Popiſh Succeſſor, and they have ſuch Hopes of his coming to the Crown; and therefore I humbly move you, that a Committee be appointed to draw up a Bill to diſable James Duke of York from inheriting the imperial Crown of this Realm.'

Lord Ruſſel.

'Mr. Speaker, Sir, if we conſider the Train of ill Conſequences, that attend the having of a Popiſh Succeſſor, and the certain Miſeries that muſt fall on this Nation, if ever we ſhould have a Popiſh King; and how impoſſible the one, or improbable that the other can be prevented, but by diſinheriting the Duke of York: I think that as we cannot diſagree, as to the ſadneſs of our Condition, ſo it will be hard to find out any other Way to ſecure us; and therefore I ſecond the Motion that was made by that worthy Member, that a Committee be appointed to bring in a Bill to diſinherit James Duke of York.'

William Harbord.

'Mr. Speaker, Sir, we ſhall do ill to be mealy-mouthed, when our Throats are in ſuch danger; therefore I will not be afraid to ſpeak out, when ſpeaking plain Engliſh is neceſſary to ſave our King and Country. Have we not heard, and is it not apparently true, that Peace and War, foreign Alliances, Meetings, Diſſolutions, and Prorogations of Parliaments, Trials at Weſtminſter-Hall, Reſolutions in Council, and other Things of Importance, have been influenced by

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a Popiſh Party, or Intereſt? And can we, Sir, imagine that theſe great Things ſhould be done by a leſs Man than James Duke of York? Hath not the Examination of the Plot, in which the King's Life and all our Safeties is ſo much concerned, been kept off to Admiration, and the Witneſſes diſcouraged even to Deſpair? Have not Counter-plots been ſet up, and carried on with a ſtrong Hand, and falſe Witneſſes in abundance, to deſtroy the true ones? From what Cauſe can ſuch ſtrange, unheard-of Effects proceed, but from the Power and Influence of a Popiſh Succeſſor? And we have no great reaſon to admire it, if we conſider how uſual it is for Politicians to be given to Flattery, and to be led by Ambition, and how natural it is for Courtiers and great Miniſters of State to worſhip the riſing Sun. And, Sir, is it not eaſy to foreſee what great Miſeries may come to this Kingdom by ſuch kind of Managements? Can any Man imagine, that, as long as there is a Popiſh Succeſſor, there will not be a Popiſh Intereſt, and that by his Aſſiſtance it ſhall not be ſtrong enough to conteſt with the Proteſtant Intereſt? Or rather, have we not ſeen it for many Years already? And how can it be otherways, as long as no Office, ſmall or great, is diſpoſed of without his Approbation; no, not ſo much as Preferment in our Proteſtant Church? And I think, unleſs you can deſtroy that in which the Intereſt centers, you will never deſtroy the Intereſt itſelf. Anno 32 Car. II. 1680.

'Sir, I have no Ill-will for the Duke's Perſon, but rather a great Veneration, as he is deſcended from our paſt, and as Brother to our preſent King. But I think it ought not to ſtand in competition with my Duty to my King and Country, which can never be ſafe as long as this Intereſt is ſo predominate. And I think there is no other Way to ſuppreſs it, but by going to the Roots firſt: and therefore I agree in the Motion that hath been made, for appointing a Committee to bring in a Bill to diſinherit James Duke of York.'

'Mr. Speaker, Sir, I agree with thoſe worthy Members, that have ſpoke to this preſent Buſineſs, that Popery hath for a long Time had a great Influence in the Management of our Affairs; and that the Proteſtant Religion and Government of the Nation is much in Danger thereby. But I hope that the Prudence of this Houſe may find out ſome Expedient to ſecure the Nation, more likely to be brought to Perfection, than this of the Excluſion Bill. We all know, that his Majeſty in his Speech at the opening of the Seſſion, and formerly, hath declared, that he will conſent to any thing you ſhall offer for the Security of the Proteſtant Religion; provided it conſiſt with preſerving the Succeſſion in the due legal Courſe of Deſcent. As his Majeſty is gracious to us, ſo I know we are all willing to carry ourſelves with William Gee.

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with all Reſpect and Duty to him; he offers you to conſent to all other Ways you can propoſe, but ſeems reſolved not to conſent to this Way you are now upon. For my part, Sir, I am more afraid of an Army without a General, than of a General without an Army; and therefore I think, that if, inſtead of ordering a Committee to bring in a Bill for diſinheriting of the Duke, you bring in a Bill for baniſhing all the Papiſts out of the Nation, and other Bills for the having of frequent Parliaments, and to ſecure good Judges and Juſtices, that ſo the Laws you have already, as well as what more you may make, may be duly executed, it may do as well, and be more likely to have good Succeſs. And therefore I would humbly move you, that we may try theſe other Ways, and not offer to put this Hardſhip upon his Majeſty, ſeeing he hath declared againſt this Bill, leſt, by diſpleaſing his Majeſty, we ſhould interrupt all other Affairs, which at this Time may be very unfortunate to this Nation, and our Neighbours too. The Eyes of Chriſtendom are upon the Succeſs of this Meeting, and the Peace, Quietneſs, and Honour of the Nation much depends thereon; and therefore, if the going on with this Bill ſhould occaſion a Breach, (which for ſeveral Reaſons I am much afraid of) it may prove one of the greateſt Misfortunes that could befal us. Sir, Moderation in all Things will always become this Houſe, but eſpecially in a Buſineſs of ſo high a Nature. The Duke hath not yet been either heard or found guilty, how can we then anſwer the paſſing of ſo ſevere a Sentence? We ought to be very careful in a Buſineſs of this Nature, that we do nothing but what we may be able to anſwer to the whole World. And therefore, Sir, I think that ſeeing his Majeſty hath declared, that he will not agree with us in this Bill, and other Bills may be as effectual; I would humbly move you to think of ſome other Way, and for that Purpoſe to appoint a Day to have it debated in a Committee of the whole Houſe.'

Sir Henry Capel.

'Mr. Speaker, Sir, I cannot agree with that worthy Member that ſpoke laſt, and yet I have formerly given ſome Proof that I have been for Moderation, and God willing ſhall always be for it, when it may do good. In the two laſt Parliaments I did ſo argue for Moderation, that many of my Friends told me, that I had deſerted the true Intereſt of my King and Country; but as the Loyalty which I pretend to derive from my Birth, made me ſlight ſuch Surmiſes, ſo it ſhall always preponderate with me in all my Actions. Sir, I am of Opinion that this is a Caſe, in which there is no room for Moderation, if by Moderation be meant the making of any other Law for the Security of our Religion. Becauſe, according to the beſt Judgment I can make, upon a full

full Conſideration of the Matter, all other Bills that can be deſired without this Bill, will not prove effectual; but will leave us in that unhappy Condition, of conteſting with the Influence of a Popiſh Succeſſor, during the King's Life, and the Power of a Popiſh King hereafter. Of what Danger this may be to his Majeſty's Perſon at preſent, and the Proteſtant Religion for the future, I leave to every one to judge. It hath been ſaid, that take away the Army, and you need not fear the General; but I ſay, that a General that hath the Power of a King, will never want an Army. And our Condition is ſo bad, that I am afraid we ſhall not be ſafe, without being free of the General and Army too; which I think, Sir, as the Caſe ſtands, we ought in Prudence to do, or elſe I am afraid we ſhall give but a bad Account to our Country, of having done any thing to the Purpoſe for the ſecuring of our Religion. And therefore I am of Opinion you are under a Neceſſity of having this Bill brought in.' Anno 32 Car. II. 1680.

'Mr. Speaker, Sir, I obſerve that the Arguments that have been offered againſt the bringing in of this Bill, are founded on his Majeſty's Speech, and on a Suppoſition that other Bills may be as ſufficient for our Security, and more facilly obtained, ſeeing his Majeſty hath ſo often declared, that he will not conſent to the altering the Succeſſion from its legal Courſe of deſcent. Sir, the King calleth his Parliament to give him Advice, and they cannot therein be reſtrained, but may give any Advice which they think may be neceſſary for the Security of his Perſon and Government. And it hath oftentimes happened, that Parliaments before now have many times offered ſuch Advice to the Kings of this Nation, as hath not been grateful to them at firſt, and yet, after mature Deliberation, hath been well-received, and found abſolutely neceſſary. When Clifford, or who elſe it was, had perſuaded his Majeſty to grant a Toleration in 1672, and to tell the Parliament in his Speech then made to them, that he would ſtand by it, and make it good; yet that Houſe of Commons finding it of dangerous Conſequence, and humbly offering ſuch their Advice to his Majeſty, he was pleaſed, notwithſtanding the ſaid Speech, to cancel the ſaid Toleration. And if he had not, as we are in a bad Caſe now, ſo we might have been in a worſe then. For aught I know, if that Houſe of Commons had been ſo great Courtiers, as not to have concerned themſelves in that Toleration, becauſe of his Majeſty's Speech, the Nation might have been ruined by Papiſts before this. And I think we are now under as great Danger, and I hope we ſhall not be leſs couragious, nor true hearted. If a Man were ſick of a Pleuriſy, and nothing could ſave his Life but bleeding, would Silas Titus.

Anno 32 Car. II. 1680.

would it not be ſtrange if his Phyſician, after having pretended that he is hearty for his Cure, ſhould allow him all other Remedies but bleeding? Nothing like this can be preſumed of his Majeſty, of whoſe Wiſdom and Goodneſs we have had ſo great Experience. And as to the ſecond Branch of the Suppoſition, that other Laws may ſecure us as well, I have not heard any Arguments offered to make it good, and I muſt confeſs I cannot apprehend there can be any. I am ſure the Experience of former Times ſhews us the contrary. It is plain from them, that Popiſh Princes have not thought themſelves bound by any Laws againſt the Intereſt of the Church; and our Fore-fathers have found to their ſorrow, that the Strength of our Laws were not ſufficient to defend them againſt Popiſh Tyrannies. For no Prince of that Religion ever yet thought himſelf bound to keep faith with Heretics. After Queen Mary had ſeriouſly pledged her royal Word to the Suffolk-Men, to allow them their Religion, by which they became the greateſt Inſtruments of putting the Crown on her Head; did ſhe not in return put the Crown of Martyrdom on theirs? All other Laws that you can propoſe in this Caſe, muſt be grounded on ſome Truſt or Fidelity that muſt be repoſed in that Party, for which no Argument can be given, but that they never kept any faith with Heretics, and therefore that we may do well to try what they will do. This I might prove by a ſad, melancholy Account of the Maſſacres at Piedmont, Paris, and Ireland; but I ſuppoſe the Hiſtory of them is well known to every one here, and therefore I will not trouble you therewith.

'We are adviſed to be moderate, and I think we ought to be ſo; but I do not take Moderation to be a prudent Virtue in all Caſes that may happen. If I were fighting to ſave my Life, and the Lives of my Wife and Children, ſhould I do it moderately? If I were riding on a Road to ſave my Throat from Thieves, and I ſhould be adviſed to ride moderately, leſt I ſpoiled my Horſe, would not ſuch Advice ſeem ſtrange at ſuch a Time? And ſo certainly would it be, if I were in a Ship, (which may well be compared to a Commonwealth,) and it were ſinking, would not the Advice to pump moderately, for fear of a Fever, ſeem ſtrange? But, Sir, I admire, ſeeing Moderation is ſo much talked of of late, and ſo much recommended, Why there cannot be other Objects found out, on whom to place it, as well as on the Papiſts. I know not why it ſhould not be as agreeable to Chriſtian Charity, and more for the Proteſtant Intereſt at this time, becauſe it may tend to Union, to place it on the Proteſtant Diſſenters, ſeeing we agree with moſt of them in Points of Faith, and only differ about a few Ceremonies.

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The moderateſt and meekeſt Man that ever was, ſeeing an Egyptian ſtruggling with an Iſraelite, ſlew the Egyptian; but at another time ſeeing an Iſraelite ſtruggling with an Iſraelite, it is recorded in Holy Writ, he parted them, ſaying they were Brethren. Of late many are at work to perſuade us, that the Church hath no Weapons but Prayers and Tears; this is a Notion come up amongſt us ſince the breaking out of the Plot, and, as far as I can obſerve, is only to hold good againſt Popery, for againſt Proteſtant Diſſenters we have always had, and can ſtill find, other Weapons. Sir, I will not trouble you farther, but conclude with my Motion for bringing in of the Bill.' Anno 32 Car. II. 1680.

H. made a Speech reflecting on the Duke and Lord Clarendon, for making up the match for the King, as if they did it becauſe they foreſaw that the Queen would have no Children, and particularly on the Duke, for the Loſs of my Lord Sandwich, for clearing of Perſons taken in the Fire of London, the Death of Sir Edmundbury Godfrey, &c.

'Mr. Speaker, Sir, I am ſorry to ſee a Matter of ſo great Importance managed in this Houſe with ſo much Bitterneſs on the one Hand, and with ſo much Jeſting and Mirth on the other; I think it is a ſerious Thing we are about, and that more Gravity would very well become, not only this Houſe, but the Subject of the Debate alſo. It is to me very unpleaſant, to hear a Prince, that hath ſo well deſerved of this Nation, by fighting our Battles, and ſo often appearing for us in War, ſo upbraided. I am apt to think he was far from being of opinion, the Queen would have no Children, and that he ſcorned any of thoſe other Actions that have been laid to his Charge; and therefore to hear ſuch Things ſaid, is a great Provocation. But, being I know where I am, I will lay my Hand upon my Mouth. But I hope you will pardon me, if, to comply with the Obligation of Nature, I declare myſelf much concerned to ſee the Aſhes of my dear Father thus raked out of the Duſt, and to bear his Memory blaſted by an Affirmation which cannot be proved: Becauſe I am confident he was not guilty. He and his Family ſuffered enough by his Misfortunes, occaſioned by dark Intereſts and Intrigues of State. Many think he was ſeverely chaſtiſed while living; I am ſorry to ſee that ſome others cannot ſpare him though dead. But, for my comfort, I have heard that he was a good Proteſtant, a good Chancellor, and that we have had worſe Miniſters of State ſince. But I will not trouble you farther, but apply myſelf to the Buſineſs under Debate. Sir, I am of Opinion, that the bringing in of this Bill will be a great Hindrance to the Buſineſs of the Nation, and not attain your End. And alſo, I am concerned for the Juſtice of the Houſe; for though the Duke Laurence Hyde.

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deſerve great Mortifications, becauſe he hath given ſo great a Suſpicion of his being inclined to that Religion, and I believe doth not expect to come now to the Crown, on ſuch Terms as formerly, but with ſuch Limitations as may ſecure the Proteſtant Religion; yet I think it very hard for this Houſe, to offer at ſo great a Condemnation without hearing the Perſon concerned, or having had any preceding Proceſs. For my own part, I make it a great Queſtion, whether it would be binding to him, or a great many other loyal Perſons of this Nation; and if not, it may occaſion hereafter a civil War. And without any juſt Fear, or Cauſe; for the King may very well out-live the Duke, and then all that we are about would be unneceſſary; and why ſhould we, to prevent that which may never happen, attempt to do that which we can never anſwer, either to our King or Country? I cannot apprehend that our Caſe is ſo deſperate, but that we may ſecure ourſelves ſome other way, without overturning Foundations. I cannot fear a General without an Army. By ridding ourſelves of all other Papiſts, we may be ſafe, making ſuch other Laws to bind the Duke, as may be neceſſary, by the Name of James Duke of York; which, and the ſmall Revenues which belong to the Crown, without the Aſſiſtance of Parliaments, with ſuch other Laws as may be contrived, I humbly conceive may be ſufficient for our Security; and therefore it ought to be conſidered in a Committee of the whole Houſe, that ſuch as are for theſe Expedients, may have more freedom of Debate.'

Silas Titus.

'Mr. Speaker, Sir, I muſt beg your Leave to ſpeak again, according to the Orders of the Houſe, being reflected on. I can aſſure you, Sir, that what I have ſaid upon this Subject, is ſo far from proceeding from a merry, jolly Humour, that it is rather from as great Sorrow as ever my Heart endured; being very ſenſible what Dangers we have undergone, and what Miſeries we may hereafter ſuffer, by means of the Duke's being of this Religion. I hope, Sir, that Offences that proceed from natural Infirmities, will always find a favourable Conſtruction in this Houſe. If that honourable Member that ſpoke laſt, had but conſidered, that all Men have not that good Fortune to be born, with ſuch a grave, majeſtic, ſober Aſpect as that (let them ſay what they will, it looks ſerious and weighty) he would not have been offended at my Diſcourſe; but, Sir, for the Satisfaction of the Houſe, that I am not in jeſt in this Buſineſs, I do declare, that I ſhould be very ſorry to be thus jeſted with myſelf.'

Sir L. Jenkins

'Mr. Speaker, Sir, the Queſtion that ariſeth from this Debate is, whether we had beſt proceed by an Extremity, or by Expedients. For I look on this Bill to be of the high-

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eſt Nature that ever was propoſed in the Houſe of Commons, and the greateſt Extremity imaginable, which I humbly conceive we ought not to proceed to, until we have made ſome trial of Expedients, which will be very uſeful. For it will give a great Satisfaction, not only to his Majeſty, but to all other Perſons in general that are againſt this Bill, by which the World will ſee that we were very cautious, how we offered at ſuch an Extremity, and that we did not do it, until we had found all other Ways and Means whatſoever inſufficient. I muſt confeſs, Sir, I think ſuch a Bill would be againſt Law and Conſcience, and that nothing leſs than an Army will be neceſſary to ſupport it; and therefore I humbly move you, that we may debate this Buſineſs in a Committee.' Anno 32 Car. II. 1680.

'Mr. Speaker, Sir, I admire to hear that honourable Member make a Doubt as to the legality of this Bill; certainly, Sir, our legiſlative Power is unbounded, and we may offer to the Lords, and ſo to his Majeſty, what Bills we think good. And it can as little be doubted, that the legiſlative Power of the Nation, KING, LORDS, and COMMONS, ſhould want a Law to make Laws; or that any Laws ſhould be againſt what Laws they make; otherways they cannot be legally oppoſed. And as I think it cannot be againſt Law, ſo neither againſt Conſcience, unleſs it could be made out, that we ought in conſcience to bring in Popery. I ſhould be very glad to hear any Arguments to make good what hath been offered about Expedients; but I am afraid, when they come to be examined to the Bottom, they will be found very inſufficient, and that we may as well think of catching a Lion with a Mouſe-trap, as to ſecure ourſelves againſt Popery by any Laws without the Excluſion Bill. Have we not to do with a ſort of People, that cannot be bound by any Law or Contract whatſoever? Much leſs can their Words or Promiſes be depended on. Are they not under all the Obligations that can be offered, from the Temptations of this Life, as of that to come, not to keep faith with Heretics, but to break it when it may tend to the promoting of the Catholic Cauſe? And if Laws cannot bind other Perſons, much leſs will it Princes that are of the Catholic Religion? Did they ever keep any League or Contract that was made with Proteſtants, longer than was neceſſary, in order to cut their Throats? What Uſe did the Papiſts make in Ireland of the Favours granted them by King Charles I? Did they not make uſe of it to the Deſtruction of the Proteſtants, by riſing up in Rebellion, and maſſacring 100,000? Sir, I ſee Things go hard againſt Popery, I know not what to ſay to it, but I am afraid that if we ſhould be ſo infatuated, as to let it creep on more and more upon us, and Col. Birch.

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at laſt let it aſcend the Throne again, that we ſhall ſoon have the ſame miſerable Fortune our Fore-Fathers had in Queen Mary's Days, and be burnt in Smithfield for our Indiſcretion.'

'Sir, we are upon a Buſineſs of as great Importance as ever was debated within theſe Walls; for either we muſt ſuppreſs Popery, or be ſuppreſs'd by it. For although that Intereſt do not look ſo big, as that of the Proteſtants, yet I plainly ſee, that it hath wrought like a Mole under ground for a long time, and that it hath eaten into our Bowels, and will ſoon come to the vital Parts of the Proteſtant Religion, and deſtroy it too, if great care be not taken, and that ſpeedily. I hear ſome ſay, that our Cares are needleſs at this time, becauſe the King may outlive the Duke; which is as much as to ſay, there is no need of Laws againſt Popery, until we ſee whether we ſhall have occaſion to make uſe of them, or no But they do not tell us how we ſhould be ſure then to obtain them. I muſt confeſs ſuch Arguments are ſo far from weighing with me, as that they increaſe my Fears, becauſe it diſcovers a ſtrange, eaſy, careleſs, indifferent Humour among us Proteſtants. Muſt our Lives, Liberties, and Religion depend upon may-be's? I hope it is not come to that yet: I am ſure it will not conſiſt with the Prudence of this Aſſembly to leave it ſo, but rather to endeavour to ſettle this Matter upon ſuch a Foundation, as may (with as much probability as human things are capable of) ſecure us. I am of opinion, that ſuch an Engine may be contrived, as ſhould give ſuch a whirle to the Popiſh Intereſt, as that it ſhould never riſe up againſt us again; I know of no Difficulty but the ſame which happened to Archimedes, where to fix it. And I am not altogether at a loſs for that neither; for ſo long as we have a good King, I will not deſpair. And, Sir, I cannot fear any of thoſe things that are objected againſt this Bill, that it is againſt Law, and therefore will occaſion a civil War: For my part I never will fear a civil War in favour of Idolatry, eſpecially when we have gotten a Law on our ſide to defend our Religion. Therefore I move you that the Bill may be brought in.'

Sir Thomas Player.

'Mr. Speaker, Sir, I have read in Scripture of one Man dying for a Nation, but never of three Nations dying for one Man; which is like to be our caſe. There hath been already ſo much ſaid on this matter, and the Reaſons that have been given for the bringing in of the Bill are ſo plain, that I ſhould not have troubled you to have ſaid any thing about it, but that I knew not how to have anſwered it to that great City for which I ſerve, nor to have appeared in this Buſineſs, in which the Proteſtant Religion is ſo much concerned.

concerned. But, Sir, being I am up, I will beg leave to acquaint you, that I have been lately in company with a great many Perſons, where I have heard the Duke cried up, and the King ſo ſlighted, that I muſt confeſs they made me afraid, they had thoughts of acting over here what was lately done in Portugal. Believe it, Sir, many are very induſtrious to make an intereſt for the Duke; if we ſhould not uſe our endeavours to keep up the King's Intereſt, and that of the Proteſtant Religion, I am afraid they will be encouraged to embroil us in Blood before we are aware of it. I have no patience to think of ſitting ſtill, while my Throat is cutting; and therefore I pray, Sir, let us endeavour to have Laws that may enable us to defend ourſelves. And I know not how we can have any that are like to prove effectual, without this for excluding James Duke of York; and therefore I humbly move it may be brought in.'

Edward Seymour.

'Mr. Speaker, Sir, I have by many Years Experience obſerved, that it is very agreeable to the Cuſtom, Prudence, and Juſtice of this Houſe, to debate all things very well before a Queſtion is put, but eſpecially of great Importance. It hath formerly been thought a great thing, and hard to be born by ſome Princes, that any thing relating to the Prerogative of the Crown ſhould be debated any where but in the Privy Council; and I have obſerved, that former Parliaments have done it with a great deal of Tenderneſs. And if ſo, well may a Bill that tends to the Alteration of the Succeſſion, pretend to the Right of having a full and fair Debate, which I hope this ſolemn Aſſembly will not deny; many being to take their Reſolutions from it in as great a Point as ever was debated in a Houſe of Commons, for which we ſhall be anſwerable to our own Conſciences, as well as to our King and Country. It is theſe great Conſiderations make me trouble you at this time, otherwiſe I might haply have been ſilent, becauſe I am one of thoſe that have been ſhot at by Wind-guns, which have prejudiced my Reputation; and therefore, until I ſhould have had an opportunity to vindicate myſelf, and to ſhew that I am an Enemy both to Popery and arbitrary Government, I was more inclined to have been ſilent, and ſhould not have troubled you, if the Nature of this Buſineſs had not laid on me a more than ordinary Compulſion. I do not doubt but every one that ſits here is willing to take notice of what Arguments may be offered *pro* and *con*, it being the only way to paſs a right Judgment in this matter, which is very neceſſary, becauſe what Reſolution you may take upon this Debate, will be examined not only within his Majeſty's Dominions, but by moſt Princes and Politicians in Europe. And therefore that you ground your Reſolution on ſuch ſolid Reaſon,

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Reaſon, that may endure the Teſt of a plenary Examination, will be very neceſſary for the ſecuring the Credit of this Houſe, of which I know you are very tender.'

'Sir, I muſt confeſs I am very much againſt the bringing in of this Bill; for I think it a very unfortunate thing, that, whereas his Majeſty hath prohibited but one thing only, we ſhould ſo ſoon fall upon it. I do not ſee there is any cauſe, why we ſhould fear Popery ſo much, as to make us run into ſuch an extreme. We are aſſured there can be no danger during his Majeſty's Life, ſo, upon an impartial Examination, we ſhall find there can be no great reaſon to fear it after his Death, though the Duke ſhould outlive and ſucceed him, and be of that Religion. Have we not had great experience of his Love for this Nation? Hath he not always ſquared his Actions by the exacteſt Rules of Juſtice and Moderation? Is there not a poſſibility of being of the Church, and not of the Court of Rome? Hath he not bred up his Children in the Proteſtant Religion; and ſhewed a great reſpect for all Perſons of that Profeſſion? Would it not be a dangerous thing for him (I mean in point of Intereſt) to offer at any ſuch Alteration of the Religion eſtabliſhed by Law? Can any Man imagine that it can be attempted, without great hazard of utterly deſtroying both himſelf and his Family? And can ſo indiſcreet an Attempt be expected from a Prince, ſo abounding in Prudence and Wiſdom? But though we ſhould reſolve to have no Moderation in our Proceedings againſt Papiſts, yet I hope we ſhall have ſome for our ſelves. It cannot be imagined, that ſuch a Law will bind all here in England, or any in Scotland; and it is diſputed whether it will be binding in Ireland: ſo that in all probability it will not only divide us amongſt ourſelves, but the three Kingdoms one from the other, and occaſion a miſerable civil War. For it cannot be imagined, that the Duke will ſubmit to it. And to diſinherit him for his Religion, is not only to act according to the Popiſh Principles, but to give cauſe for a War with all the Catholic Princes in Europe; and that muſt occaſion a ſtanding Army, from whom there will be more danger of Popery and arbitrary Government, than from a Popiſh Succeſſor, or a Popiſh King. Sir, it is very agreeable to the Weight of the Matter, and the uſual Proceedings of this Houſe, that this Buſineſs ſhould be fully debated; and therefore I humbly move you it may be in a Committee.'

Sir Richard Graham made a long Diſcourſe, ſhewing the Dangers and Miſeries of a civil War, by a large Account of thoſe between York and Lancaſter. That this Bill, if it ſhould paſs, would lay a Foundation for ſuch another. That it would not be binding either to Scotland or Ireland, and

and ſo conſequently occaſion a Diviſion between the three Kingdoms, which had formerly been the occaſion of Wars and Miſeries, as well as our own Diviſions amongſt ourſelves. Then gave an hiſtorical Account, to make out how fatal Diviſions had proved to other Nations, and inſtanced in Theodoſius, and others. That he thought it abſolutely neceſſary, (if this Bill muſt be brought in,) to prevent a civil War, that the Succeſſor ſhould be named; which would need a great deal of Conſideration; and if to debate Buſineſs of ſmaller Importance, it is uſual for the Houſe to reſolve itſelf into a Committee, how could it be anſwered, that it ſhould not be done in a Buſineſs of ſo great Importance, that ſo Expedients might be offered and debated, with more Freedom and Satisfaction than it was poſſible they could be in the Houſe. Anno 32 Car. II. 1680.

'Mr. Speaker, Sir, I am of opinion, that Expedients in Politics are like Mountebank-tricks in Phyſic; as the one does ſeldom good to Bodies natural, ſo not the other to Bodies politic. Government is a weighty thing, and cannot be ſupported nor preſerved but by ſuch Pillars as have neither Flaws nor Cracks, and placed on a ſure Foundation. And I am afraid, that all Expedients will be found to have far different Qualifications. I cannot foreſee how the excluding of one Perſon, who hath a right to the Succeſſion depending upon Contingencies upon ſuch an account as this, ſhould occaſion a civil War; but rather do think there is a great deal more danger, not only of a civil War, but of our Religion and Liberty too, if we ſhould not do it, and ſo have a Popiſh King. For I do believe, that ſuch a King would ſoon have a Popiſh Council. For if there be eleven to ſeven now for the Intereſt of a Popiſh Succeſſor, what may you not expect when you have a Popiſh King? And ſhould you not then ſoon have Popiſh Judges, Juſtices, Deputy-Lieutenants, Commanders at Sea and Land; nay, and Popiſh Biſhops too. For if there be none put into thoſe Places now, that are for acting againſt a Popiſh Succeſſor, well may we expect that none ſhall be put in then, but what are for a Popiſh King. And therefore I am aſtoniſhed to hear any Man, that pretends to be a Proteſtant, argue, that in ſuch a caſe we need not fear Popery; for it is indeed to argue for Popery, and muſt proceed from an Opinion that the Proteſtant Intereſt is very low, and not able to bear up any longer againſt Popery, or elſe that Proteſtants are very credulous and inconſiderate, and may be brought to deſtroy themſelves with their own Hands. Muſt our Religion and Liberty have no Security but what depends on the Virtues and Goodneſs of a Prince, who will be in ſubjection to the Pope, and probably influenced by none but Jeſuits and ſuch Creatures? Sir William Pulteney.

Will

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Will it ſeem ſtrange that ſuch a Prince ſhould compoſe his Privy Council of Perſons inclined to that Religion; or that he ſhould employ none others as Judges, Juſtices, Sheriffs, or Commanders in any Place of Truſt either at Land or Sea? And can we think that by the many Endeavours which will be uſed, that the common People will not be debauched, and either be miſ-led, or made indifferent in a little while? Is it not in the power of the King to nominate his Counſellors, Judges, Sheriffs, Commanders at Sea and Land? And can it be imagined, that he will not take care to nominate ſuch as ſhall be for his turn? Certainly, Sir, no Man can imagine that the Proteſtant Religion can long be preſerved under ſuch a King, but ſuch as cannot or will not ſee at a diſtance, what a Change ſuch a Scheme of Government will ſoon produce, and how likely it is that it will be ſet up and practiſed, if ever we ſhould have a Popiſh King. And as I do think that our Religion never can be ſecured without this Bill, ſo I do not fear that it will occaſion any civil War, or any Diviſion between this Kingdom, Scotland or Ireland; but rather, I believe it will be a means to reconcile the Proteſtant Intereſt, and to ſettle the Government upon ſuch a bottom as will prove invincible. In Scotland the major Part of the People hate Popery as well as we, and ſo do the Proteſtants in Ireland; and therefore certainly it will be their intereſt to join with us againſt a common Enemy, and not to divide. And whereas it hath been ſuggeſted, that this Bill will engage us in a War againſt all Catholic Princes, I look upon it as a Bugbear, and do believe that we ſhall gain many Friends by being ſettled, as we may by having this Bill; becauſe then we may be formidable to our Enemies, and ſerviceable to our Allies; but never without it. And, Sir, this is not to diſinherit a Man for his Religion, but becauſe he hath rendered himſelf uncapable to govern us, according to our Laws, which, whether it proceed from his Religion, or any thing elſe, is all one to us. His being uncapable, is the ground for our Proceedings, having no other way to preſerve ourſelves. Upon the whole matter, I do conclude, that a Popiſh King and a Proteſtant Religion are irreconcilable, and have no reaſon to fear a civil War, ſo long as we have a Law for our Defence, and a Proteſtant King to head us; which we cannot expect without paſſing ſome ſuch Bill as this under Debate. And therefore I humbly move you it may be brought in.'

Daniel Finch.

'Mr. Speaker, Sir, the Buſineſs you are debating is of ſo high a nature, that I cannot tell how to ſpeak to it, without Fear and Trembling. To go about to alter the Succeſſion of the Crown, muſt be of great concernment to all Engliſhmen, and therefore ought to be conſidered with a great deal of

of Deliberation, for which the Juſtice, Prudence and Uſage of this Houſe calls aloud, there never having been any Buſineſs debated in this Houſe, in which ſo much Care was required. Sir, I am unſatisfied with myſelf, how we can in Juſtice paſs any ſuch Bill as is propoſed; for I never heard of any Law, which made an Opinion in Religion a Cauſe to be diſpoſſeſs'd of Right: in former times it was not ſo, though there were Princes and Emperors that were Apoſtates. And Queen Elizabeth would not allow of putting any ſuch thing in practice, but rather choſe to proceed againſt Mary Queen of Scots, according to the ſettled Laws of the Nation. This Nation hath been ſo unfortunate as to cut off one King already, let us have a care how we cut off the Right of another. There is a poſſibility that the Duke may return to the Proteſtant Religion, let us not exclude him from ſuch Temptations as may be convenient to reduce him. But, whatever ſhould be your Reſolution at laſt, I humbly conceive there can be no reaſon given, why a Buſineſs of this Weight ſhould not be debated in a Committee, before you vote the bringing in of the Bill, that ſo the Validity of ſuch other Expedients as may be propoſed, may be examined, and the Reaſons for and againſt this Bill be digeſted as they ought to be. How ſhall we otherwiſe anſwer it to his Majeſty, who hath offered you every thing but this? If there were a Motion made for a Bill to give Money, would it not probably be debated in a Committee? By this Bill we are going to give away the Right of a Crown, which I take to be more than Money; and therefore, I humbly move you that it may be further debated in a Committee.

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'Mr. Speaker, Have not the Papiſts always proceeded againſt the Proteſtants with a Barbarity ſurmounting the worſt of Heathens? And muſt we be ſo mighty careful how we proceed to hinder them from ruling over us, as that we muſt ſtumble at every Straw, and be afraid of every Buſh? A Man that is in an Houſe that is on fire, will leap out at a Window, rather than be burnt. I do admire how any Perſon, that doth know with what Treachery and Inhumanity the Papiſts behaved themſelves in the Maſſacres of Piedmont, Paris, and Ireland; their Cruelties in Queen Mary's days, lately on Sir Edmundbury Godfrey, and what they had deſign'd againſt the King, and all of us, can offer any thing to delay, much more to hinder what is ſo preciſely neceſſary for the Good of the King and Kingdom; eſpecially ſeeing in this we ſhall do nothing, but what may be juſtified by many Laws and Precedents. And if there were none, of which I know there are a great many that are liable to no Objection; yet I take it, That the Law of Na-

Hugh Boſcawen

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ture and Self-preſervation would afford us ſufficient Arguments. I think the Sun is not more viſible at Noon-day, than that the Papiſts have a Deſign to extirpate our Religion; and that they have done great Things in order thereto, even now while we live under the Government of a Proteſtant King, by ſome inviſible Power that hath ſtrangely acted its Part in favour of that Intereſt, in all our Councils and Reſolutions in Affairs of greateſt Importance; and it is as plain that this is ſo, becauſe there is a Popiſh Succeſſor; and that their Intereſt will never decline as long as there is ſuch a Succeſſor, and the Hope of a Popiſh King. And now, that by the watchful Providence of God, theſe Things have been made ſo plain to us; is it not ſtrange, that any Man ſhould go about to perſuade us to be ſo neglectful and inconſiderate, as to ſit ſtill and look on, while the Papiſts are putting their Chains about our Arms, and Ropes about our Necks? Which muſt be the Conſequence of permitting a Popiſh King to aſcend the Throne; againſt which there can be no Law to ſecure us but this. In Edward the ſixth's, and Queen Mary's, and Queen Elizabeth's days, was not the Religion of the Prince, the Religion of the Nation? Did not moſt of the Privy-Counſellors, and great Miniſters of State, and ſome Biſhops too, change with the Times? Is it not cuſtomary for great Men to inſinuate and flatter their Princes, by being of their Religion? On what muſt we ground our hopes of Security, in ſuch a Caſe? On nothing, Sir, but on a Civil War, which ſuch a Prince muſt certainly occaſion. But I do not fear it from this Bill, but rather think it the only Way to prevent it; not doubting but that there will be People enough that will give Obedience to it, ſufficient to execute the Law on ſuch as may be refractory, if any, which can only be Papiſts, and ſuch as may be Popiſhly affected; The Objections as to a Civil War, and Diſobedience to this Law, may as well be made againſt any other ſevere Law that we may attempt to make againſt Papiſts; and muſt we therefore let them all alone? I hope we ſhall not be ſo inconſiderate; but as we have diſcovered that their Weapons are near our Throats, ſo we ſhall not acquieſce in any thing leſs than what may ſecure us; that ſo, if poſſible, we may not fall into the Hands of ſuch a bloody, mercileſs People; which muſt infallibly be the Conſequence of having a Popiſh King.

'And, Sir, as we have much to ſay for the having of this Bill; ſo we have as much for not having our time loſt by going into a Committee at this time about it. When the Bill is brought in, there will be time enough to hear of other Expedients, if any Member will then offer any; of which they will now have time to conſider, that ſo they may be offered

particu-

particularly, and not only in general. For it doth not consist with the Gravity of the House, that they should be put out of the Method they are most inclined to, without good Cause. I am afraid there can be no Expedients offered in this Case, that can be sufficient; unless such as may shake the Throne as to all future Kings. And I hope we shall be cautious how we enter into any such Debate; for if you should, you may be sure your Enemies will take Advantage thereof. And therefore I am rather for the Bill.'

John Trenchard.

'Mr. Speaker, have not Popish Kings, as well in other Countries as here, always brought in a Popish Religion? And have we any Reason to suppose the like will not happen here, if ever we should have a King of that Religion? Have we not undeniable Proof, that the great Thing designed, by endeavouring at a Popish King, is the rooting Heresy out of these three Nations? And are not Rome and France ingaged to give their Assistance therein, as well as the great Parties at home, not only of profess'd Papists, but of some who profess themselves Protestants, but are so but in Masquerade? And do they not say, that they have so clenched and rivetted their Interest, as that God nor Man cannot prevent their accomplishing their Design? And shall we be so indiscreet as to let it creep on thus upon us, and not endeavour to remedy ourselves? Let it never be said of this House of Commons, that they were so stupified or negligent of their Duty to their Country; or so indifferent in their Religion, or Preservation of their Liberties, as to forget so great a Concern. If, when we have done what we can, we should be conquered by Force, or deceived by such little Arts and Tricks as may be used, a patient Submission to God's Providence must follow. But to be the Occasion of our own Destruction, by being supine and inconsiderate, will never be answered to Posterity.'

He then justify'd the Legality of the Bill, by a long Catalogue of Precedents; making out, that the Succession of the Crown had been oftentimes altered by Act of Parliament upon less Occasions than this; and concluded with a Motion for bringing in of the Bill.

Resolved, That a Bill be brought in, to disable the Duke of York to inherit the imperial Crown of the Realm.

The Exclusion-Bill read for the first time.

The 4th of November, 1680. A Bill to disable James Duke of York, to inherit the imperial Crowns of England and Ireland, and the Dominions thereunto belonging, was read the first time.

Sir Leoline Jenkins.

'Mr. Speaker, I have spent much of my time in studying the Laws of this Land; and I pretend to know something of the Laws of foreign Countries, as well as of our own: And I have, upon this Occasion well-considered of them; but

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cannot find how we can juſtify the paſſing of this Bill, rath much againſt it.

'Firſt, I think it is contrary to natural Juſtice, that we ſhould proceed to Condemnation, not only before Conviction, but before we have heard the Party, or examined any Witneſſes about him; I am ſure, none in his defence. And to do this, by making a new Law on purpoſe, when you have old Laws in being, that have appointed a Puniſhment to his Crime, I humbly conceive, is very ſevere; and contrary to the uſual Proceedings of this Houſe, and the Birthright of every Engliſhman.

'Secondly, I think it is contrary to the Principles of our Religion, that we ſhould diſpoſſeſs a Man of his Right, becauſe he differs in point of Faith. For it is not agreed by all, that Dominion is founded in Grace. For my part, I think there is more of Popery in this Bill, than there can poſſibly be in the Nation without it; for none but Papiſts, and Fifth-monarchy-men, did ever go about to diſinherit Men for their Religion.

'Thirdly, I am of Opinion, that the Kings of England have their Right from God alone; and that no Power on earth can deprive them of it. And I hope this Houſe will not attempt to do any thing, which is ſo preciſely contrary, not only to the Law of God, but the Law of the Land too. For if this Bill ſhould paſs, it would change the Eſſence of the Monarchy, and make the Crown elective. For, by the ſame Reaſon that this Parliament may diſinherit this Prince for his Religion, other Parliaments may diſinherit another, upon ſome other Pretence which they may ſuggeſt; and ſo conſequently, by ſuch Excluſions, elect whom they pleaſe.

'Fourthly, It is againſt the Oath of Allegiance, taken in its own Senſe, without Jeſuitical Evaſions. For by binding all Perſons to the King, his Heirs and Succeſſors, the Duke, as preſumptive Heir, muſt be underſtood. And I am of Opinion, it cannot be diſpenſed withal. Sir, I will be very cautious how I diſpute the Power of Parliaments, I know the Legiſlative Power is very great, and it ought to be ſo. But yet I am of Opinion, that Parliaments cannot diſinherit the Heir of the Crown; and that if ſuch an Act ſhould paſs, it would be invalid in itſelf. And therefore I hope it will not ſeem ſtrange, that I ſhould offer my Judgment againſt this Bill, while it is in Debate; in which I think I do that which is my Duty, as a Member of this Houſe.

'Henry the fourth of France was a Proteſtant, his People moſt Papiſts, who uſed ſome Endeavours to prevent his coming to the Crown; but when they found they were not like to perfect their Deſign, without occaſioning a civil War, they deſiſted; concluding, that a civil War would probably

probably bring on them more Miſery than a King of a different Religion, and therefore ſubmitted. Sir, I hope, we ſhall not permit our Paſſion to guide us inſtead of Reaſon; and therefore I humbly move you to throw out the Bill.' Anno 32 Car. II. 1680.

Ralph Montagu.

'Mr. Speaker, Sir, The honourable Member that ſpoke laſt, may underſtand very much of the Laws of other Countries, and foreign Affairs; but I am apt to think, not much of the Laws of this Nation; or elſe he would not argue, that this is a Popiſh Bill, when it is the only thing that can ſave his King, the Kingdom, and the Proteſtant Religion; which I hope will never come to that Extremity, as to need any thing that is Popiſh to ſave it. For my part, I am ſo far from thinking that this Bill is ſo unreaſonable as hath been argued, that I think this Houſe of Commons will get as much Credit by paſſing of this Bill, as that in 1660 did, by paſſing that which brought home the King. For as the one reſtored him; ſo the other may preſerve him, and nothing leſs. And therefore, I think, Sir, you ought not to delay the giving it a ſecond reading, but appoint a ſpeedy day for it.'

John Hampden.

'Mr. Speaker, Sir, I do not underſtand how it can be conſtrued, becauſe we go about to diſinherit the Duke, that therefore it muſt be for his Religion. For my part, I do approve of the Bill; but it is becauſe the Opinions and Principles of the Papiſts tend to the Alteration of the Government and Religion of this Nation: and the introducing, inſtead thereof, of Superſtition and Idolatry, and a foreign, Arbitrary Power: If it were not for that, I am apt to think, the Duke's being a Papiſt would not be thought a ſufficient Cauſe for this Houſe to ſpend Time about this Bill. And I cannot ſee the Danger of reducing the Government to be elective by it; for why ſhould we preſume that any thing but the like Cauſe ſhould have the like Effect? Though the Succeſſion of the Crown hath been formerly often changed by Acts of Parliament, yet hitherto it hath not made the Crown elective; and why muſt we fear it now? Neither can I apprehend, that the paſſing of this Bill is contrary to natural Juſtice; becauſe we have not heard what the Duke hath to ſay for himſelf. The Precedents that might be offered to make out, that the Parliaments have, when they thought good, condemned Perſons by Bill, are numerous, and without any Hearing too. But if there were none, to doubt the Power of the legiſlative Authority of the Nation in that or any other Caſe, is to ſuppoſe ſuch a Weakneſs in our Government, ſo inconſiſtent with the Prudence of our Anceſtors, and common Reaſon, as cannot well be imagined. And I do not think we are about going to do any ſuch ſtrange Thing neither, but what would be done in other Countries upon the like Occaſion; but do believe,

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lieve, that if the Dauphin of France, or Infant of Spain, were Proteſtants, and had, for near twenty Years together, endeavoured the ſetting up of another Intereſt and Religion, contrary to the Intereſt of thoſe Kings and the Catholic Religion; eſpecially if ſuch Endeavours had been accompained with ſuch Succeſs as here, and thoſe Nations had been ſo often, by ſuch means, reduced ſo near to ruin, as we have been, by Diviſions, Tolerations, Burnings, Plots, and Sham-Plots at home, and by Wars and foreign Alliances, overruled in their favour abroad; but that they would have been more impatient than we have been for this Remedy. And for my own part, I cannot but admire more at the long Delay there hath been, in ſeeking out a Remedy againſt this great Evil, than at our offering at this Bill. For, notwithſtanding what hath been ſaid, I cannot think our Danger ſo remote or uncertain, as ſome would ſuppoſe it. Can the King be ſafe, as long as the Papiſts know that there is nothing but his Life ſtands in their Way, of having a King to their mind? Which is the only thing they want, to go on with their Deſigns and to accompliſh their Expectations. Will it then be an eaſy thing to withſtand ſuch an enraged, barbarous People? The more falſe and unreaſonable their Religion is, the more Cruelty will be neceſſary to eſtabliſh it. Can it be imagined we ſhall not pay ſeverely, for having ſhed ſo much Blood of their Martyrs, as they call them, and for having enjoyed their Holy-church-land ſo long? Or that they will not do all that they ſhall think neceſſary, to ſecure an entire and quiet Poſſeſſion to themſelves? For my own part, I cannot imagine that the Pride of thoſe Church-men will be ſatisfied with any thing leſs, than an utter Ruin and Extirpation of us and our Poſterities. And I think that nothing can ſave us but this Excluſion-Bill; and therefore I humbly move you to appoint a ſpeedy day for a ſecond reading.'

The Bill read a ſecond time.

Reſolved, That the ſaid Bill be read a ſecond time on Saturday Morning at ten o' Clock.

The 6th of November, 1680. A Bill to diſable James, Duke of York, to inherit the imperial Crown of England and Ireland, was read a ſecond time.

Sir Richard Temple made ſeveral Objections againſt the Tenour of the Bill, as not anſwering the Intention of the Houſe; ſhewing how (if not altered) it would occaſion an Inter-regnum; and that the Clauſe for limiting the Excluſion to the Perſon of the Duke only, was not well drawn.

Sir Leoline Jenkins.

'Mr. Speaker, In my humble Opinion, the Body and whole Tenour of this Bill carrieth with it a great Reflection on the whole Engliſh Nation. For to ſuppoſe that one Perſon is able to turn us about to Popery, is to ſuppoſe that we are either very imprudent, or irreſolute, or that we have no great love to, but are rather very indifferent in our Religion.

And

And if we may thus diſinherit the preſumptive Heir, not only the Royal Family, but the whole Nation, will be ſubject, by ſuch a Precedent, to many Inconveniencies. For by the ſame Reaſons the like may be done hereafter upon any other Pretence. For, Sir, though we know that this Houſe is compoſed of Perſons, that have a great Veneration for the Royal Family; yet we know not what may happen hereafter: But, if ſome ſuch Bill as this muſt paſs, I humbly conceive there is a great Neceſſity of naming a Succeſſor, and not leave that in diſpute, leſt an Inter-regnum, or civil War, happen thereupon.'

Henry Booth.

'Mr. Speaker, Sir, becauſe I am of Opinion, that nothing can, at this Time, be ſo prejudicial to the proteſtant Intereſt, as to be at a ſtand, or go backward with this Bill; therefore I ſhould be ſorry to ſee that we ſhould enter upon any Debate of clogging it with any thing that may occaſion any Delay. There may be more Difficulty in agreeing about the Proviſos and Declarations, that will be neceſſary in naming a Succeſſor, than to agree about the Bill itſelf. And we cannot make the Law plainer than it is in that Caſe. We intend by this Bill nothing but an Excluſion of James Duke of York, as the only Expedient that can help us in the Exigency the Nation lies under; and it being intended only as an Expedient in reference to him only; and that the Bill ſhall have nothing in it that can relate to, or prejudice the next of Kin: I do not ſee how there ariſeth from that, any Difficulty more than there was before, as to the Succeſſion. And therefore, Sir, let us not confound the Bill with needleſs Additions. I confeſs, Sir, I am one of thoſe that am in pain until this Bill be paſt. For the King hath his Breath in his Noſtrils, as well as other Men; and although we have all, much reaſon to pray for his long Life, ſo to fear it too; and nothing can tend ſo much to the ſecuring of his Life, as the paſſing of this Bill: nor ours after his. For, how ſhall we be able to defend ourſelves againſt Popery without it? Therefore I humbly move you, that we may not ſpend our time about any ſuch Additions, but commit the Bill.'

Daniel Finch.

'Mr. Speaker, Sir, I have already given you many Reaſons againſt the Bill itſelf, but more do offer from the wording of it. The excluding the Duke will not give a Right to the next Heir, to take poſſeſſion of the Crown while the Duke is living; and therefore unleſs you name a Succeſſor, it will either prove ineffectual, or cauſe a great Diſturbance in the Nation, by an Inter-regnum. And, Sir, as this part of the Bill is too weak, ſo the other is too ſtrong: For, as it is now penned, it may probably exclude all the Duke's Children, at leaſtwiſe leave it ſo, as that it may prove a great queſtion, which I ſuppoſe you do not intend. Then he

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stated several Cases in Law, to prove what he had said; and concluded, that it was in order to have it farther considered at a Committee.'

Sir Titus.

'Mr. Speaker, Sir, I do not see how you can name a Successor, unless you can in the same Act prohibit the Queen from having of Children, the King from marrying again, the Duke from having of Sons, which would not be more preposterous, than the many Proviso's which otherwise the Act would require, to secure such Issue their Right; which would probably make the Remedy worse than the Disease. And I think, Sir, that in a Case of this Importance, you will be careful how you make Laws, that shall be liable to so many Difficulties and Disputes. And therefore you had better rely on the old Laws you have, than make new ones to perplex the Case. And I do not see how the excluding of the Duke only can any way infect the Right which his Children may have to the Succession. And therefore I think there is no need of naming a Successor; but let the Bill be committed, and to a Committee of the whole House; and there it may be farther debated, if necessary.'

Sir Roger Hill.

'Mr. Speaker, Sir, I tremble to hear so much Discourse about the King's Death, and naming him a Successor; certainly the like was never known in any former Age, but rather it was looked on as so dangerous a Thing to be discoursed of, as that none durst attempt it, whatever the Occasion were. Queen Elizabeth concluded, that the naming of a Successor to the Crown, would be digging a Grave for her; and therefore I hope we shall never go so far as to put it into an Act. I am for shewing a great Respect for the Duke, and his Children; but I think we are first bound in Duty to the King; and therefore ought first to shew our Respects to him. Some Persons, in my poor Opinion, have shewed so much Zeal for the Duke's Interest, that I am afraid they have forgot their Allegiance to the King. Can he ever be safe, as long as it is the Interest of every Papist in England to kill him? Which it will be, as long as there is hopes of a Papist to succeed to the Throne. And therefore I think we cannot answer the permitting of any Delay in an Affair of so great Importance; and I humbly move you, that the Bill may be committed, and that all may have Liberty to be concerned therein, in a Committee of the whole House.'

The Bill committed.

Resolved, That the Bill be committed to a Committee of the whole House: That it be an Instruction to the said Committee, that the Exclusion in the said Bill do extend to the Person of James Duke of York only.

That this House do resolve into a Committee of the whole House on Monday Morning next, at Ten of the Clock, to proceed to the Consideration of the said Bill.

The 8th of November, the House then resolved into a Committee of the whole House, to proceed in the Consideration of the Bill, to disable James Duke of York, to inherit the Imperial Crowns of England and Ireland, and the Dominions and Territories thereunto belonging; and after many Debates about several Amendments, and Clauses to be added, the Bill was agreed, and reported to the House.

Resolved, 'That the said Bill, with the several Clauses and Amendments, be engrossed.'

Debate, or a Petition from the Silk-Weavers Company.

The 9th of November, 1680. A Petition from the Bailiffs, Wardens, and Assistants, of the Company of Silk-Weavers, was read.

John Basset.

'Mr. Speaker, Sir, this Petition branches itself, First, against the Bill that is here afoot, for wearing of Woollen; Secondly, Against the Importation of foreign Silks from France: And Thirdly, against the East-India Company. As to the two first Particulars, I shall desire leave to speak my mind, when the Business comes to be debated in the Committee to which you may think good to refer it. But as to the third Branch, against the East-India Company, I desire to be heard a little at this Time; for, Sir, it will be in vain for you to spend your Time in endeavouring to raise the Price of Wool, or to advantage the Trade of the Nation any way, unless you do, in the first place, make some Regulation for the East-India Trade. For not only the Silk-Weavers, but most of the other Trades of this Nation, are prejudiced by the Consumption of Goods manufactured in the East-India, and brought hither: For a great many of them are not only spent here, instead of their own Manufactures, but abroad in other Parts, to which we send them. They do us such Prejudice, as must, in the End, be the Destruction of the Manufactury Trade, both at home and abroad, if not looked after; and the more likely, because the People in India are such Slaves, as to work for less than a Penny a Day; whereas ours here will not work under a Shilling; and they have all Materials also very reasonable, and are thereby enabled to make their Goods so cheap, as it will be impossible for our People here to contend with them. And therefore, because the said Trade hath abundantly encreased of late Years, that we may not enrich the Indians, and impoverish our own People, I humbly move you, that this Petition may be referred to some Committee that may take particular Care of it.'

John Parkhurst.

'Mr. Speaker, Sir, the Navigation to the East-India, being, by the Industry and long Experience of our Sea-Men, render'd as safe and secure as to any Country adjacent; and the Trade encreased to a great Proportion, by such a dangerous Way as the Exportation of our Bullion, and Importation

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of abundance of manufactured Goods, and ſuperfluous Commodities; and carried on by a few Men incorporated, who have made it their Buſineſs, by all Ways imaginable, to ſecure the Advantages thereof to themſelves, and their Poſterities, not permiting the People in general to come in for any Share; I humbly conceive it may not be unſeaſonable to give you a ſhort Scheme of that Trade; and to make ſome Remarks as well on the Trade, as the preſent Management thereof; it being ſettled in a Company, by virtue of a Charter granted 1657, and confirmed by his Majeſty, ſoon after his Reſtoration.

'Sir, It is well known what Advantage redounds to this Nation, by the Conſumption of our Manufactures abroad and at home; and how our Fore-fathers have always diſcouraged ſuch Trades as tended to the Hindrance thereof. By the beſt Computation that can be made, we now ſpend in this Kingdom *per Annum* to the Value of 2 or 300,000 *l.* worth of Goods manufactured in the Eaſt-India: What Part thereof are ſpent inſtead of our Stuff, Serges, Cheneys, and other Goods, I leave to every Man's Judgment, that hath obſerved how their Perſian Silks, Bengalls, printed and painted Calicoes, and other Sorts are uſed for Beds, Hanging of Rooms, and Veſtments of all ſorts. And theſe Goods from the India, do not only hinder the Expence of our Woollen Goods, by ſerving inſtead of them here; but alſo by hindering the Conſumption of them in other Parts too, to which we export them; and by obſtructing the Expence of Linnen and Silks, which we formerly purchaſed from our Neighbour-Nations, in return of our Manufactures. For when that mutual Conveniency of taking off their Goods in return of ours failed, it is found by Experience, that our Trade in our Manufactures failed alſo: And, Sir, this is not only at preſent a great, but a growing Hindrance to the Expence of our Woollen Goods; for, as it hath been obſerved to you, being the Indians do work for leſs than a Penny a Day, and are not without Materials at cheap Rates, we may rather tremble to think, than eaſily calculate, what this Trade may in Time amount to; and may conclude, that it muſt certainly end in employing and enriching the People in the India, and impoveriſhing of our own.

'But, Sir, this is not all: This Trade is carried on by the Exportation of 5 or 600,000 *l. per Annum* in Bullion; which is ſo uſeful a Commodity, as ought not to be exported in ſo great a Quantity, eſpecially ſeeing the Exportation thereof hath increaſed in ſome Years from 200,000 *l. per Annum*, to 600,000 *l. per Annum*: For it may encreaſe to Millions, to the Diſcouragement of the Exportation of the Products of our Country; upon which the Maintenance of our Poor, and Rent

Rent of Land, depends. Whereas by the Exportation of so much Bullion, no immediate Advantage redounds to the Nation; and though it is usually affirmed, that the Trade brings back to the Nation as much Money as it exports, yet upon an Enquiry it will be found a Mistake. And I think every Nation, but especially this, (which is so well stored with other Commodities for Trade) ought to be very jealous of a Trade, carried on by the Exportation of their Gold and Silver; and to be very careful how to allow it, it being dangerous to make that, which is the Standard of Trade, Merchandize itself. Anno 32 Car. II. 1680.

'And as these Objections arise against the Trade itself, so there are others against the present Management, of which the People do complain as a great Grievance; and I humbly conceive, not without good Cause. For the equal Distribution of Liberties and Privileges among the People, which is one of the Excellencies of the Government, is by this Company highly infringed, a very few of the People being permitted to have any Share in this Trade, though it be now encreased to near one quarter Part of the Trade of the Nation; the Company finding it more for their particular Advantage to take up from 6 to 700,000 *l.* on a common Sale, to carry on their Trade, than to enlarge their Stock; thereby reaping to themselves not only the Gains which they make on their own Money, but of the Treasure of the Nation; allowing to them that lend, four or five *per Cent.* and dividing among themselves what they please, which now within these last 12 or 15 Months, hath been 90 *per Cent.* And, upon an exact Enquiry it will be found, that this Stock is so engrossed, that about ten or twelve Men have the absolute Management, and that about forty divide the major Part of the Gains, which this last Year hath been to some one Man 20, to others 10,000 *l.* a-piece. So that here is the certain Effect of a Monopoly, to enrich some few, and impoverish many.

'It's true, there is such a Thing as buying and selling some small Shares in the Stocks sometimes, if any Man will give 300 *l.* in Money for 100 *l.* Stock; but this amounts to no more than exchanging the Interest of John Doe for Thomas Roe, and can be no ways serviceable to bring in more Stock or People into the Trade, and therefore not to satisfy the Complaint of the Nation.

'Sir, that you may the better apprehend how unreasonable it is, that this great Trade should be thus confined to the Advantage of so few Persons, exclusive to all others, under the Penalty of Mulcts, Fines, Seizures, and other extraordinary Proceedings, I beseech you, Sir, to cast your Thoughts on this great Body here by you, and the rest of

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the Corporations of this Nation, who moſtly live by Trade, and conſider how many Thouſands, if not Millions, there are, whoſe Lot Providence hath caſt on Trade for their Livelihoods; and then, I am apt to believe, it will appear very ſtrange that ſo great a Trade ſhould be ſo limited. If three ſuch Charters more ſhould be granted, what ſhould the major part of the People do for Maintenance? Sir, the Birth-right of every Engliſhman is always tenderly conſidered in this Place: By this Company the Birth-right of many Thouſands is prejudiced, and may well deſerve a ſerious Conſideration; and therefore, and becauſe this Company, by having the Command of the Treaſure of the Nation, cannot be controlled by any leſs Power than that of a Houſe of Commons, this Buſineſs comes, as I humbly conceive, naturally before you.

'But, Sir, there is one Thing more in the Management of this Trade worthy your Conſideration: The great Danger which may reſult, as well to private Perſons as to the Public, by taking up ſuch an immenſe Treaſure on a common Sale. Sir, we all know what happened ſome Years ſince, by the Bankers taking up ſuch great Sums on their private Sales, how it proved a Temptation for the committing of a great Violation on the Subjects Property, which in all probability preceding Parliaments would have prevented if they had foreſeen; though I hope there is no Danger that the like will ever be done again; yet, Sir, you may do well to ſecure it, either by making ſome Vote, if not a Law, to prevent it. And I am the more forward to move you herein; becauſe I have heard, ſince I had the Honour to ſit within theſe Walls, that, in the late long Parliament, there were Members who, by voting for Money, got Shares to themſelves. I have a good Opinion of theſe Gentlemen that at preſent have the Management of the Trade, but if a few ſuch Perſons as I have mentioned ſhould ſucceed them, with the ſame Privilege that theſe have, of taking up what Money they pleaſe on a common Sale, to what Danger might the Treaſure of this Nation be reduced, and how might it not be diſpoſed of, by Dividends, Loans, or other Ways? The taking up of ſo vaſt a Treaſure on a common Sale, muſt be attended with great Danger; and therefore as well for that as for the other Reaſons alledged, I hope you will take this Affair into your ſpeedy Conſideration, that ſo ſome Remedies may be applied hereto.'

William Love.

'Mr. Speaker, Sir, by the Account which hath been given you of the Eaſt-India Trade, I doubt not but you are ſenſible, that it will in time ruin a great part of the Trade of our Manufactures, if not prevented. The Eaſt-India Company have been very induſtrious to promote their own

own Trade, but therein have given a great Blow to the Trade of the Nation.

The Indians knew little of dying Goods, or ordering them, ſo as to be fit for European Markets, until the Company ſent from hence Engliſhmen to teach them, which I am afraid this Nation will have cauſe to repent hereafter. For the Cheapneſs of Wages and Materials in the Indies muſt enable the Indians to afford their manufactured Goods cheaper than any we can make here; and therefore it is probable the Trade will encreaſe prodigiouſly; which may be a good Motive for you to take into your Conſideration that part of it, in which the Conſumption of our Manufactures is concerned. They have already ſpoiled the Italian and Flanders Trade, with their Silks and Calicoes; now they will endeavour to ſpoil the Turkiſh Trade, by bringing abundance of raw Silk from the Indies. So that ere long we ſhall have no need of having Silk from Turkey; and if not, I am ſure we ſhall not be able to ſend any Cloths or other Goods there. And it cannot be expected, that the Indians ſhould grow weary of exchanging their manufactured Goods for our Gold and Silver, nor the Company of the great Gains they make by their Trade; and therefore, unleſs prevented by your Care, the Trade will go on to your Prejudice; the Company having been induſtrious to ſecure themſelves againſt all other Attempts, by New-Years-Gifts, employing of ſome Men's Money at Intereſt, and getting others into the Company, and then chuſing them of the Committee, though they underſtand no more of the Trade, than I do of Phyſic; alſo naming of Ships by great Men's Names is made uſe of for the ſaid purpoſe, and Oaths which they impoſe on all Perſons they employ in any Buſineſs of importance, ſo that there is no ordinary way left to reach them. Therefore, Sir, I hope you will refer the Buſineſs to ſome Committee that you may make a ſpeedy Report.

Reſolved, That the ſaid Petition be referred to the grand Committee for Trade, and they are to proceed upon the ſame in the firſt place, and they are then likewiſe to conſider of the preſent State of the East-India Company, and to report the ſame, with their Opinions thereon, to the Houſe

The 10th of November, 1680. His Majeſty's Meſſage to the Houſe was read.

A Meſſage from the King relating to the Exclusion Bill.

'His Majeſty deſires this Houſe, as well for the Satisfaction of his People, as of himſelf, to expedite ſuch 'Matters as are depending before them, relating to Popery 'and the Plot; and would have them reſt aſſured, that all 'Remedies they can tender to his Majeſty, conducing to 'theſe Ends, ſhall be very acceptable to him, provided they

'be

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Debated.

Henry Booth.

'be such as may consist with preserving the Succession of 'the Crown in its legal Course of Descent.'

'Mr. Speaker, Sir, I look on all his Majesty's Speeches to Parliaments, and Messages to this House, to be Acts of State, and the Results of serious Councils; and therefore the more deserving our Consideration: But also I think we may in some Respects look on them as we do on Letters-Patent, or other Grants in the King's Name; if in them there be any thing against Law, the Lawyer or Officer that drew them is answerable for it. So if his Speeches be the Product of Council, if there be any Mistake in them, it must be imputed to the Council, and we may and ought to conclude the King never said it, for he can do no Wrong. I cannot, Sir, but much admire what neglect of ours, as to Popery and the Plot, hath occasioned this Message. Hath not most of our Time been spent about Examination of Witnesses about the Plot, and in making Inspections into the Proceedings of the last Parliaments as to their Transactions about it, that so we may proceed upon such Grounds as we ought? Hath there any day past, in which we have not done something as to the Plot and Popery, besides what we have done about the Duke's Bill? Which alone is sufficient Proof of our Endeavours to discover the Plot and Popery, because it plainly appears that all the Plot centers in him, and that we can never prevent Popery, but by preventing that Power to rule, which is derived from a Popish Successor, and the having of a Popish King. It is true, we have spent some Time also, in asserting the Right of the People to petition the King for Parliaments, or other Grievances; but I do not take that to be so remote to this Affair; for can the Plot ever be searched to the Bottom, or Popery prevented, as our Case stands, but by Parliaments? And seeing there were so many Prorogations of this Parliament, when there were Occasions so urgent for their Sitting, in order to search the Plot to the Bottom, and to make Laws against Popery, have we not great Reason to believe, that it was from that Party that such strange endeavours were used to prevent the meeting of Parliaments, from whom they know that nothing but Ruin can attend them? Do we not see, by Coleman's Letters, what Contrivances they always had for to manage the Meetings, Sittings, Prorogations, and Dissolutions of Parliaments? And why should we not believe they exercise the same Arts still? Seeing it is plain that the Dissolutions of the last two Parliaments, and many Prorogations of this, did not proceed from any Protestant Interest; and therefore well may we conclude from whom. And for the same Reason that they fear Parliaments, have not the People Reason to be fond of them, being the only legal Way to redress Grievances? And could

we

we have answered the neglecting of the asserting our Rights in that Particular? Sir, I think that, next to the Duke's Bill, the asserting of the People's Right to petition, is the most necessary Affair we could have spent our time about, in order to have the Plot examined to the Bottom, by conveying to his Majesty the Desires of his People, to have Parliaments sit in order thereto. And therefore I am jealous that the Advice given for this Message, doth proceed rather from a fear that we are doing too much, than from our doing too little against Popery. However, Sir, seeing the Message comes in his Majesty's Name, let us, according to our Duty, give all the Compliance we can to it; and therefore I humbly move you, that a Message be sent to the Lords, to desire them to appoint a Day for the Trial of William Viscount Stafford.' Anno 32 Car. II. 1680.

'Mr. Speaker, Sir, I cannot but observe, that his Majesty in his Speech made to us at the Opening of this Session, recommended to us the Examination of the Plot, and the making Laws for the Security of the Protestant Religion, which is not yet above twenty Days ago. And therefore it is very strange, in my Opinion, that we should so soon receive another Message to the same purpose, especially considering how we have spent our time ever since our Meeting, in that which we have reason to think tends as much to the preventing of Popery, as any thing we could invent. The truth is, Sir, I am fully persuaded, that the Advice for this Message proceeds from the same Men that advised the Dissolution of the two last Parliaments, and the many Prorogations of this; for though it may look like a Contradiction, that going fast or going slow should tend to one and the same End, yet it doth so in this Case: for by the Dissolutions of those Parliaments, and many Prorogations of this, time was gotten for the disheartning of some Witnesses, and tampering with others, and the Death of the most material one; and now, by pressing upon this Parliament to make great Haste, other Witnesses may be prevented from coming in, for which his Majesty hath declared he will give two Months time by his Proclamation. So that it plainly appears, that the farther Examination of the Plot must be prevented some way, if they can do it; and that rather than fail, your Endeavours to go to the Bottom of the Plot shall be turned upon you, and made use of to their Advantage. It is strange, that now fourteen Days should seem too much to have the Examination of the Plot neglected, (supposing it had been so) and the fourteen Months last past, or rather two Years, not thought so. Sir, we are under great difficulties, and therefore we must be careful what we do. By the Contents of this Message we may plainly see, that our Enemies John Hampden

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Enemies are at work to repreſent our Proceedings ill to the King, that ſo if poſſible there may be ſome plauſible Pretence found out that may ſerve to gull the People, if they ſhould procure a Diſſolution. But I hope his Majeſty will not hearken to ſuch Advice; in order to prevent it, let us, until we have an Opportunity to expreſs our Duty to him by Actions, do it by Words, to ſatisfy him, that we have ſpent moſt of our Time in examining the Plot, and in contriving how to ſecure his Perſon and Government againſt the Dangers ariſing from Popery; and to aſſure him, that we will loſe no Time till we have done what lies in our Power in order thereto; and that we may withal give ſome farther Inſtance of our endeavours, let us vote that we will immediately proceed to the Trial of my Lord Viſcount Stafford.'

William Harbord.

'Mr. Speaker, Sir, I am well content to underſtand that Part of the Speech, which recommends to us a ſpeedy Examination of the Plot, to proceed from his Majeſty's Goodneſs, on a Suppoſition that he is now more ſenſible than ever, of the Danger, his Perſon and Government is in by Papiſts. And I hope it is from that, and not from any other Reaſon, that he hath been pleaſed to ſend us this Meſſage ſo ſoon after his Speech, notwithſtanding our Endeavours as to the Plot and Popery. But, Sir, what I am moſt concerned at, is the latter Part of the Speech, that about the Succeſſion; for it looks like the Difficulty that was put upon the Iſraelites, of making Bricks without Straw. For ſeeing all the Diſcoveries about the Plot make it clearly out, that it all centers in the Duke of York, and that all their Hopes is derived from a Popiſh Succeſſor, and Expectation of a Popiſh King, how can we do any thing that can be effectual in purſuance of the firſt Part of that Propoſition, without contradicting the latter, it being impoſſible to ſecure the Proteſtant Religion under ſuch Limitations? However, Sir, I hope that none of theſe things will put the Houſe out of that Temper and Moderation which becomes this Place; for I hope that at laſt his Majeſty will either convince us, or be adviſed by us, that ſo we may come to a fair Underſtanding, and this Seſſion have a happy Concluſion. Let us be careful not to give our Enemies any juſt Advantage to miſrepreſent us: And then I hope all will do well at laſt, maugre all the Endeavours of our Back-friends. That we do vote that we will proceed to Trial of ſome of the Lords, and appoint a Committee to draw up an Addreſs in anſwer to this Meſſage, upon the Debate of the Houſe, is, I conceive, what is neceſſary at this Time.'

Silas Titus.

'Mr. Speaker, Sir, his Majeſty's Meſſage is a tacit Reprehenſion of this Houſe, for not having done their Duty, as to the Plot and Popery. And as well by this Meſſage, as by his

his Speech at the Opening of the Seſſion, he doth now ſeem much concerned, that the Examination of the Plot, and the ſecuring of the Nation againſt the Danger of Popery, hath been ſo long deferred; for my part I think he hath a great deal of Reaſon for what he ſaith, and I am glad to hear it. For I hope he is now truly ſenſible what ſtrange Advice he followed in diſſolving the laſt Parliaments, and ſo often proroguing this; and that he will now permit the Parliament to ſit, until they have done their Duty in that Particular. But, Sir, though his Majeſty may now be very ſenſible of the Miſcarriages there have been in the Management of this Buſineſs already, yet I think we may not do amiſs (ſeeing his Majeſty hath given us this occaſion) to particulariſe to him, how the Examination of the Plot, and the ſecuring us againſt Popery, hath been prevented. Sir, was not the late long Parliament, after the Plot broke out, in a fair way to have tried the Lords, and to have examined the Plot to the bottom? And did not the Diſſolution of them fruſtrate all their Proceedings? Did not the next Parliament fall upon the ſame Subject, and were they not advanced very far towards it? And did not the Prorogation and Diſſolution come, and make all void? Hath this Parliament, though called to meet the 17th of October was twelve Months, ever ſat till now? And have they not ever ſince their Meeting employed moſt of their time about the Plot and Popery? And can there lie any juſt Complaints againſt us? The truth is, Sir, it is plain to me, that if this Meſſage proceeds from his Majeſty's own Judgment, as I hope it doth; (for how can it be preſumed that his Majeſty ſhould not ſee how we proceed againſt the Plot and Popery as well as every body elſe?) or if it proceed from ſuch Counſel, as do really intend we ſhould do ſomething againſt Popery, then we may be permitted to ſit until we have done ſomething for the Security of our Religion, and Good of our Country; but, on the other ſide, if this Meſſage do proceed from the ſame Counſel that adviſed the Diſſolutions of the laſt Parliaments, and many Prorogations of this, then we may take it as a clear Diſcovery, that there are Perſons at work to repreſent us ill to the King, and to find ſome ſuch pretence for our Diſſolution, as may paſs with the People; and ſuch I take to be Enemies both to the King and Kingdom, and therefore hope you will take a time to find them out, and proceed againſt them as they deſerve. In the mean time, I ſecond the Motion that hath been made, for a Committee to draw up an Anſwer to this Addreſs, and for making a Vote in order to try my Lord Stafford.'

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'Mr. Speaker, Sir, though I know that we are under an obligation from Duty to make a good conſtruction of all his Majeſty's

Sir Francis Winnington.

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Majeſty's Speeches and Meſſages to this Houſe, yet becauſe they generally do proceed from ſome Advice and Counſel taken on ſuch occaſions, therefore, I think, we may, without Offence, when any thing is irreconcileable in them, attribute it to the Miniſters; though all that which is good, and agreeable to that Wiſdom and Prudence which is inherent in his Majeſty, ought to be attributed to himſelf; and, as the Caſe ſtands with us, I think only from him can it proceed. What is ſaid in this Meſſage, that neither his Majeſty nor the People can be ſatisfied, unleſs we expedite ſuch Matters as relate to the Plot, I believe it proceeds from his Majeſty's own Genius, it being ſo agreeable to that Love which he hath always profeſſed for the Proteſtant Religion; but that tacit Imputation that we have neglected the Examination of the Plot, and Proceedings againſt Popery, appears to me like a kind of Infatuation in thoſe Miniſters that adviſed it. For, Sir, is there any thing more obvious, than that this Parliament have ſpent moſt of their time in matters relating to the Plot and Popery, and to make ſuch Laws as may prevent the coming in of Popery upon us? And did not both the laſt Parliaments do the ſame, from the time the Plot broke out? And if I may take the liberty to propheſy, I am apt to think, that the next, and the next, will proceed in the ſame ſteps, until ſuch Laws be made as are preciſely neceſſary for the hindring of Popery from coming in upon us: And I pray God it may not be a cauſe why we ſhall have no Parliaments to ſit and act for a while. But, Sir, as this is plain, ſo to our Grief it is, that there are thoſe about the King in great Power, who are againſt the Examination of the Plot to the bottom, or making Laws againſt Popery. Hath not this appeared by the great Endeavours that have been uſed to ſtifle the Plot; the menacing and diſcouraging of the true Witneſſes, and ſetting up and encouraging of falſe ones? I mean, by the great Power that accompanied thoſe Endeavours; but above all, by the great Authority and Intereſt, which that Party have ſhewed in the Diſſolution of the laſt two Parliaments, (though as to the firſt I heartily forgive them) and the many Prorogations of this. And muſt they now, after they have ſtopped or ſmothered all Proceedings that tended to deſtroy Popery, for above two Years, find fault that we have not brought all to perfection in two Weeks? Sir, this looks like ſuch a profound piece of Policy, as that of killing Juſtice Godfrey. But I am not ſorry that their Politics run ſo low. Such a Pretence as this can only paſs with Perſons that have a mind to be deceived. I will never doubt the Prudence of the major part of the Nation in this particular, who know that the Non-proſecution of the Plot, is the great Grievance which the Nation groans

groans under; and the making of ſuch Laws which may ſecure us againſt Popery, the greateſt reaſon why they have ſo longed for a Parliament, and adventured ſo much, as ſome did, in petitioning for one. And, Sir, I think, that accordingly this Houſe have not been wanting to do their Duty therein; and therefore do believe that ſuch Repreſentations to his Majeſty are made, by ſuch, as aim at the Deſtruction of Parliaments, and bringing in of Popery. But the better to prevent their taking any ſuch advantage for the future, I could wiſh that we may not ſpend more Mornings about Iriſh Cattle, nor Eaſt-India Trade, until the Buſineſs of the Plot and Popery be more off our hands. But in order to ſatisfy his Majeſty of our Obedience to his Commands, I agree both for the Committee, and Trial of the Lord Stafford.' Anno 32 Car. II. 1680.

Reſolved, That a Committee be appointed, to draw up an humble Addreſs to his Majeſty upon the Debate of the Houſe, in anſwer to his Majeſty's gracious Meſſage. An Addreſs voted.

Reſolved, That this Houſe will proceed in the Proſecution of the Lords in the Tower, and will forthwith begin with William Viſcount Stafford. Lord Stafford's Trial reſolv'd on.

The 11th of November, 1680. Sir William Jones reports from the Committee appointed to draw up an Addreſs to his Majeſty, upon the Debate of the Houſe, in anſwer to his Majeſty's gracious Meſſage; which he read in his Place, and afterward delivered the ſame at the Clerks Table; where being read again, was upon the Queſtion agreed to by the Houſe.

The Addreſs to his Majeſty from the Commons. The Addreſs.

'May it pleaſe your moſt excellent Majeſty, We your Majeſty's moſt loyal and obedient Subjects, the Commons in this preſent Parliament aſſembled, having taken into our moſt ſerious conſideration your Majeſty's gracious Meſſage, brought unto us the ninth Day of this Inſtant November, by Mr. Secretary Jenkins, do with all Thankfulneſs acknowledge your Majeſty's Care and Goodneſs, in inviting us to expedite ſuch Matters as are depending before us, relating to Popery and the Plot. And we do, in all Humility, repreſent to your Majeſty, that we are fully convinced, that it is highly incumbent upon us, in Diſcharge both of our Duty to your Majeſty, and of that great Truſt repoſed in us by thoſe whom we repreſent, to endeavour, by the moſt ſpeedy and effectual ways, the Suppreſſion of Popery within this your Kingdom, and the bringing to public Juſtice all ſuch as ſhall be found guilty of the horrid and damnable Popiſh Plot. And though the time of our ſitting (abating what muſt neceſſarily be ſpent in the chuſing and preſenting a Speaker, appointing grand Committees, and in taking

Anno 32 Car. II. 1680.

taking the Oaths and Teſts enjoined by Act of Parliament) hath not much exceeded a Fortnight; yet we hve in this time not only made a conſiderable Progreſs in ſome things which to us ſeem, and (when preſented to your Majeſty in a parliamentary way) will, we truſt, appear to your Majeſty to be abſolutely neceſſary for the Safety of your Majeſty's Perſon, the effectual Suppreſſion of Popery, and the Security of the Religion, Lives, and Eſtates of your Majeſty's Proteſtant Subjects: But even in relation to the Trials of the five Lords impeached in Parliament for the execrable Popiſh Plot, we have ſo far proceeded, as we doubt not but in a ſhort time we ſhall be ready for the ſame. But we cannot (without being unfaithful to your Majeſty, and to our Country, by whom we are entruſted) omit, upon this occaſion, humbly to inform your Majeſty, That our Difficulties, even as to theſe Trials, are much increaſed by the evil and deſtructive Councils of thoſe Perſons who adviſed your Majeſty, firſt to the Prorogation, and then to the Diſſolution of the laſt Parliament, at a time when the Commons had taken great pains about, and were prepared for thoſe Trials. And by the like pernicious Counſels of thoſe who adviſed the many and long Prorogations of the preſent Parliament, before the ſame was permitted to ſit; whereby ſome of the Evidence which was prepared in the laſt Parliament, may poſſibly (during ſo great an Interval) be forgotten or loſt; and ſome Perſons, who might probably have come in as Witneſſes, are either dead, have been taken off, or may have been diſcouraged from giving their Evidence. But of one miſchievous Conſequence of thoſe dangerous and unhappy Counſels, we are certainly and ſadly ſenſible, namely, that the Teſtimony of a material Witneſs againſt every one of thoſe five Lords (and who could probably have diſcovered, and brought in much other Evidence about the Plot in general, and thoſe Lords in particular) cannot now be given *viva voce*; for as much as that Witneſs is unfortunately dead, between the Calling and the Sitting of this Parliament. To prevent the like, or greater Inconveniencies for the future, we make it our moſt humble Requeſt to your moſt excellent Majeſty, that, as you tender the Safety of your Royal Perſon, the Security of your loyal Subjects, and the Preſervation of the true Proteſtant Religion, you will not ſuffer yourſelf to be prevailed upon by the like Counſels, to do any thing which may occaſion, in conſequence (though we are aſſured never with your Majeſty's Intention) either the deferring of a full and perfect Diſcovery and Examination of this moſt wicked and deteſtable Plot, or the preventing the Conſpirators therein from being brought to ſpeedy and exemplary Juſtice and Puniſhment. And we humbly beſeech your Majeſty to reſt

reſt aſſured, (notwithſtanding any Suggeſtions which may be made by Perſons, who, for their own wicked Purpoſes, contrive to create a diſtruſt in your Majeſty of your People,) that nothing is more in the Deſires, and ſhall be more the Endeavours of us, your faithful and loyal Commons, than the promoting and advancing of your Majeſty's true Happineſs and Greatneſs.'

George Vernon.

'Mr. Speaker, Sir, I hope this Addreſs will ſatisfy his Majeſty, that this Houſe hath not been negligent in the Proſecution of the Plot and Popery, and that it will create in his Majeſty a good Opinion of our Proceedings, that ſo we may not meet with any Interruption in the Perfecting of thoſe Bills which are neceſſary for the Good of the King and Kingdom, and may have the Glory of having been inſtrumental in accompliſhing that Security which the Nation ſo much deſires in point of Religion, and in making his Majeſty's Government not only more eaſy to him, but ſo formidable, as that he may become a Terror to his Enemies, and in a Capacity to give Aſſiſtance to his Friends both at home and abroad; and, if poſſible, ſo reconcile all Diviſions, as that there may be no Diſtinction but of Papiſts and Proteſtants, nor of that neither, if there could be a Way found out to prevent it. For I know this Houſe wants nothing but Opportunity to expreſs their Loyalty to the King, and Love to the Proteſtant Religion, and their Country; but I am afraid that all our Endeavours will prove ineffectual, unleſs we can remove from his Majeſty all Counſellors that adviſe him in favour of the Popiſh Intereſt, and ſuch as influence him in favour of that Party. I do not mean little ones, but ſuch as by Experience we had found, have in the time of our greateſt Danger exerciſed a kind of uncontrolable Power. The Witneſſes which you have heard this Day at the Bar, as to the wicked Plot of the Papiſts in Ireland, and in what a dangerous Condition the poor Proteſtants are there, how exceeded in Numbers by their Enemies, and deſerted by their Friends, added to the Evidence we have of the Plot in England, hath given to me a new Proſpect of the deplorable Condition we are in; and therefore, although it be a little late in the Day, ſeeing here is a full Houſe, and of ſuch Perſons as I believe will never think any thing too much, that is ſo neceſſary for the Good of their King and Country; I hope you will not think it unſeaſonable, that I ſhould now move you, that the ingroſſed Bill, for diſinheriting James Duke of York, be read.'

The Exclusion-Bill, as amended.

The Bill amended as the Houſe had ordered was read, entituled, *An Act for ſecuring of the Proteſtant Religion, by diſabling James Duke of York to inherit the imperial Crown of England*

'WHereas James Duke of York is notoriouſly known to have been perverted from the Proteſtant to the Popiſh Religion; whereby not only great Encouragement hath been given to the Popiſh Party to enter into, and carry on moſt deviliſh and horrid Plots and Conſpiracies, for the Deſtruction of his Majeſty's ſacred Perſon and Government, and for the Extirpation of the true Proteſtant Religion: But alſo, if the ſaid Duke ſhould ſucceed to the imperial Crown of this Realm, nothing is more manifeſt, than that a total Change of Religion within theſe Kingdoms would enſue. For the Prevention whereof, Be it enacted by the King's moſt excellent Majeſty, by, and with the Advice and Conſent of the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the Authority of the ſame, That the ſaid James Duke of York ſhall be, and is by the Authority of this preſent Parliament, excluded, and made for ever uncapable to inherit, poſſeſs, or enjoy the imperial Crown of this Realm, and of the Kingdom of Ireland, and the Dominions and Territories to them, or either of them, belonging; or to have, exerciſe, or enjoy any Dominion, Power, Juriſdiction or Authority in the ſame Kingdoms, Dominions, or any of them.'

'*And be it farther enacted*, by the Authority aforeſaid, That if the ſaid James Duke of York ſhall at any Time hereafter, challenge, claim, or attempt to poſſeſs, or enjoy or ſhall take upon him to uſe or exerciſe any Dominion, Power, or Authority, or Juriſdiction, within the ſaid Kingdoms, or Dominions, or any of them, as King, or chief Magiſtrate of the ſame; That then, he, the ſaid James Duke of York, for every ſuch Offence, ſhall be deemed and adjudged guilty of High-Treaſon; and ſhall ſuffer the Pains, Penalties, and Forfeitures, as in caſe of High-Treaſon. *And farther*, That if any Perſon or Perſons whatſoever, ſhall aſſiſt, or maintain, abet, or willingly adhere unto the ſaid James Duke of York, in ſuch Challenge, Claim, or Attempt, or ſhall of themſelves attempt, or endeavour to put or bring the ſaid James Duke of York, into the Poſſeſſion, or Exerciſe of any regal Power, Juriſdiction, or Authority, within the Kingdoms and Dominions aforeſaid, or ſhall by writing, or preaching, adviſedly publiſh, maintain or declare, That he hath any Right, Title, or Authority, to the Office of King, or chief Magiſtrate, of the Kingdoms and Dominions aforeſaid; that then every ſuch Perſon ſhall be deemed

' and adjudged guilty of High-Treaſon; and that he ſuffer and undergo the Pains, Penalties, and Forfeitures afore-ſaid. Anno 32 Car. II. 1680

' *And be it further enacted*, by the Authority aforeſaid, That he, the ſaid James Duke of York, ſhall not at any Time, from and after the fifth of November 1680, return, or come into, or within any of the Kingdoms or Dominions aforeſaid; otherwiſe he, the ſaid James Duke of York, ſhall be deemed and adjudged guilty of High-Treaſon; and ſhall ſuffer the Pains, Penalties, and Forfeitures, as in caſe of High-Treaſon: And farther, That if any Perſon or Perſons whatſoever ſhall be aiding or aſſiſting unto ſuch return of the ſaid James Duke of York, that then every ſuch Perſon ſhall be deemed and adjudged guilty of High-Treaſon; and ſhall ſuffer as in Caſes of High-Treaſon.

' *And be it further enacted*, by the Authority aforeſaid, That he, the ſaid James Duke of York, or any other Perſon, being guilty of any of the Treaſons aforeſaid, ſhall not be capable of, or receive Benefit by any Pardon, otherwiſe than by Act of Parliament, wherein they ſhall be particularly named; and that no *Noli Proſequi*, or Order for ſtay of Proceedings, ſhall be received or allowed in, or upon any Indictment, for any of the Offences mentioned in this Act.

' *And be it further enacted and declared*, and it is hereby enacted and declared, That it ſhall and may be lawful to, and for any Magiſtrates, Officers, and other Subjects whatſoever of theſe Kingdoms and Dominions aforeſaid; and they are hereby enjoined and required to apprehend and ſecure the ſaid James Duke of York, and every other Perſon offending in any of the Premiſſes; and with him or them, in caſe of reſiſtance, to fight, and him or them by Force to ſubdue: For all which Actions, and for ſo doing, they are, and ſhall be, by virtue of this Act, ſaved harmleſs and indemnified.

' *Provided*, and it is hereby declared, That nothing in this Act contained ſhall be conſtrued, deemed or adjudged, to diſenable any other Perſon from inheriting and enjoying the imperial Crown of the Realms and Dominions aforeſaid; (other than the ſaid James Duke of York.) But that in caſe the ſaid James Duke of York ſhould ſurvive his now Majeſty, and the Heirs of his Majeſty's Body, the ſaid imperial Crown ſhall deſcend to, and be enjoyed by ſuch Perſon or Perſons ſucceſſorily, during the Life of the ſaid James Duke of York, as ſhould have inherited and enjoyed the ſame, in caſe the ſaid James Duke of York were naturally dead; any thing contained in this Act to the contrary notwithſtanding.

' *And*

Anno 31 Car. II. 1680.

'*And be it further enacted*, by the Authority aforesaid, That 'during the Life of the said James Duke of York, this Act 'shall be given in charge at every Assizes, and general Ses- 'sions of the Peace within the Kingdoms, Dominions and 'Territories aforesaid,; and also shall be openly read in 'every Cathedral Church, and Parish Church, and Chapels, 'within the aforesaid Kingdoms, Dominions, and Territo- 'ries, by the several respective Parsons, Vicars, Curates, and 'Readers thereof, who are hereby required, immediately af- 'ter divine Service in the Forenoon, to read the same twice 'in every Year; that is to say, on the 25th of *December*, and 'upon *Easter-Day*, during the Life of the said James Duke 'of York.'

Sir L. Jenkins.

'Mr. Speaker, Sir, this great Business cannot be too well considered, before you come to a final Resolution therein. I will not now offer you any prudential Arguments against this Bill; because I did offer several at the last reading. But, Sir, I would desire you to consider, that this Prince is Brother to our present King, and Son to our late pious King Charles the first; for whose Memory this Nation hath a great Veneration: That this Prince is enriched with excellent Endowments, which he hath employed in the Service of this Nation, by fighting our Battles, and defending us from the Oppression of our Enemies; and is only guilty of this one Crime, which, I hope, upon mature Deliberation, will not deserve so great a Condemnation. Sir, I know it is usual for this House to proceed in Affairs of less Importance, with all the Calmness, Justice, and Prudence, that can be imagined; and therefore I hope you will be careful how you deviate from those Measures, in a Business of this nature. I would once more remember you, that there are Laws already for the Punishment of the Crimes he is accused of; and therefore humbly conceive, you ought not to chastise him, by making a new Law; especially with that Severity, which is, by this Bill, now intended, before any Hearing.

'Sir, for my part, I have taken the Oath of Allegiance, and think my self therein bound to him, as Heir, until it please God that his Majesty have Children. I know of no Power on Earth, that can dispense with my Oath; and therefore I cannot (so much as by being silent) give my Consent to this Bill, lest I therein wrong my Conscience; seeing I have the Honour to be a Member of this House.

'I do not doubt but most here have a great esteem for the Church of England, as Members thereof: I could wish they would consider what a great Blow this Bill will give to our Religion, and to our Church.' To disinherit a Prince for no other Cause, but for being of a different Opinion in some Points

Points of Faith; is, I think, quite contrary to the Principles of the Religion we profess, and also to the established Laws of this Land. And if such an Act, when made, should be of any validity, I do conclude, that you will thereby change the Constitution of this Monarchy, and make it in a manner elective; and therefore I humbly move you, that the Bill may be thrown out. Anno 34 Car. II. 1682.

'Mr. Speaker, Sir, I desire leave to offer some Objections, which, in my Opinion, do justly arise against this Bill. I think there ought to be a Proviso, That if the Duke should turn Protestant, that then the Bill should be void, and he not excluded from his Right; that so we may not leave him without some Temptation to return to the Protestant Religion. And, Sir, I think there ought to be a Proviso, that in case the Duke should have a Son, after either of his Daughters (if it should be their fortune) have ascended the Throne, for the reserving of him a Right. For there is a Possibility, that if the Duke should out-live the King, he may have a Son, after that his Daughters, by virtue of this Act, may have taken the Crown. I suppose, as there is no Intent to chastise the Daughters for the Father's sake, so not the Son; and therefore I humbly move you, that some Proviso may be added, to secure him his Right, if any such thing should happen. Sir Richard Mason.

'Mr. Speaker, Sir, the honourable Member that spoke before, made large Encomiums on the Duke, extolling his Endowments and Services to the Nation. For my part, I think, that the better qualified he is, the greater is our Danger. But as to what he said, of having fought our Battles, and done great Things for this Nation, I think he hath not done fairly by the House; for he should have told us, How the Triple League was broke, and my Lord of Sandwich lost his Life; how he changed his Religion, and hath ever since encouraged Popery, and assisted that Interest; how the City of London was burnt, and the Actors discharged; how the Discovery of the Popish Plot was prevented as much as it could be, and the Presbyterian one encouraged; that so we might have all before us. Lionel Walden.

He was going on more severely, but was interrupted:

'Mr. Speaker, Sir, although it hath been said, that no good Protestant can speak against the Bill; yet, Sir, I cannot forbear to offer some Objections against it. I do not know that any of the King's Murderers were condemned without being heard; and must we deal thus with the Brother of our King? It is such a severe Way of proceeding, that I think we cannot answer it to the World; and therefore it would consist much better with the Justice of the House, to impeach him, and try him in a formal Way; and then cut off his Head, if he deserve it. I will not offer to dispute the Power Laurence Hyde.

Anno 30 Car. II. 1678.

of Parliaments; but queſtion whether this Law, if made, would be good in itſelf. Some Laws have a natural Weakneſs with them. I think, that by which the old long Parliament carried on their Rebellion, was judged afterward void in Law; becauſe there was a Power given, which could not be taken from the Crown. For aught I know, when you have made this Law, it may have the ſame Flaw in it; if not, I am confident there are a loyal Party, which will never obey, but will think themſelves bound, by their Oath of Allegiance and Duty, to pay obedience to the Duke, if ever he ſhould come to be King, which muſt occaſion a Civil War. And, Sir, I do not find that the Proviſo, that was ordered to be added for the Security of the Duke's Children, is made ſtrong enough to ſecure them, according to the Debate of the Houſe; it being liable to many Objections; and the more, becauſe the Words, preſumptive Heir of the Crown, are induſtriouſly left out, tho' much inſiſted on when debated here in the Houſe. Upon the whole Matter, my humble Motion is, that the Bill may be thrown out.'

Sir William Jones.

'Mr. Speaker, Sir, I am very unfit to ſpeak in this Place, being a Member but of Yeſterday; but I will rather adventure to draw a Cenſure on myſelf, than be wanting to ſerve my Country (ſeeing they have called me hither) in a Buſineſs of ſo great Importance, I think, as great as ever was debated in an Houſe of Commons. I can truly affirm, that I have a great Reſpect for the Duke of York; and therefore, as well for the Preſervation of the Proteſtant Religion, I am for this Bill. For I take it for granted, That it is impoſſible that a Papiſt ſhould come to the Poſſeſſion and quiet Enjoyment of this Crown, without wading thro' a Sea of Blood, and occaſioning ſuch a War as may, for aught I know, ſhake the monarchical Government of this Nation, and thereby not only endanger himſelf, but his Children too. For no Man can foreſee what may be the End of ſuch a War, nor what Miſeries it may bring on the Nation: But, in all probability, it may prove the deepeſt Tragedy that ever was acted on this great Theatre. For it cannot be imagined, that the great Body of Proteſtants which are in this Nation, will tamely ſubmit to the Popiſh Yoke, which they will ſee in time muſt be the Conſequence of ſubmitting to a Popiſh King, without ſome ſtruggling. And Wars begun upon the ſcore of Religion are generally attended with more fatal and bloody Conſequences than other Wars; and this may exceed all others that ever yet were made. And I ſee no way to prevent it, but by paſſing this Bill, which, ſo long as it excludes only him, and ſecures the Crown to his Children, is, I think, (as the Caſe ſtands) the greateſt Kindneſs we can do him.'

'Sir, I do much admire to hear ſome honourable and learned

learned Members say, that this Bill is against natural Justice, because it condemns a Man before he is heard; and that it is too severe a Condemnation; that it is against the Oath of Allegiance and Principles of our Religion; that it will be a Scandal to our Church, to exclude a Man of his Right, for his Opinion in Religion; that it is a Law that will be void in itself, and that there are a loyal Party which will never obey it; that it will make the Crown elective, and occasion a Civil War; and that the Proviso, as to the Duke's Children, is not strong enough, because the Word, presumptive Heir, is left out.' Anno 31 Car. II. 1680.

'Sir, the first Objection, I think, is a great Mistake; for this Bill is not intended as a Condemnation to the Duke, but a Security to ourselves; and is so far from being against natural Justice, that the passing of it is agreeable to the very Foundation not only of natural Justice, but natural Religion too; the Safety of the King and Kingdom depending thereon, which, according to the Rules of Justice and Religion, we are bound to use our Endeavours to preserve, before any one Man's Interest. That about the Oath of Allegiance I do a little admire at; for it is the first time I ever heard that Oath pleaded in favour of Popery. I have oftentimes had occasion to scan the Meaning of that Oath, but never found it extended to the Successor during the King's Life; and therefore no need of any Dispensation in that Point. And I cannot understand, how it can be any Scandal as to our Church or Religion, if by Church be meant our Protestant Church. Can our Church, or Churchmen, be scandalized because we endeavour to secure ourselves against Popery by all lawful Means? I rather think the very Supposition an high Reflection on our Churchmen, as rendering them willing to let in Popery, which I am confident they are not. As to what is said, that the Law will be void in itself, and that there will be a loyal Party that will never obey it, and that it will occasion a Civil War; I must confess these are strange Arguments to me: For, to doubt that the Legislative Power of the Nation, King, Lords and Commons, cannot make Laws that shall bind any, or all the Subjects of this Nation, is to suppose there is such a Weakness in the Government as must infallibly occasion its Ruin. And therefore I am of Opinion, that what Laws you make in this Case, will carry as much Right and Strength with them, not only now, but after the King's Death, as any Law whatsoever. And how then can there be a loyal Party that will not acquiesce therein, unless the Word Loyal have some other Signification than I know of? I take it to be a Distinction that can only be given to such as obey Laws; and, I think, we need not doubt, but if once this Law were passed, there would be Protestants enough, whose

Anno 32 Car. II. 1680.

Intereſt it will be to defend it, that would compel an Obedience to it. And we have much more reaſon to fear a Civil War without it, than with it; for if we can get this Bill, we may be thereby ſo united, and enabled to defend ourſelves, as that the Popiſh Party may never have the Confidence to attempt us; but without it we ſhall not be in any Capacity to defend ourſelves; which, above all Things, may encourage a Civil War. As to the Proviſo, for ſecuring the Right to the Duke's Children, if it be not ſtrong enough, I am ready to give my Vote it ſhould be ſtronger; but I take it to be as full and comprehenſive as can be made; at leaſt, I take the leaving out the Words, preſumptive Heir to the Crown, to be no Objection againſt it: For there is no ſuch Word in our Law-Books, nor no ſuch Term in treating of the Succeſſion; and therefore I hope you will be careful how you make a Precedent in that Caſe.'

'And, Sir, as I do not find there is any Weight in the Arguments that have been made againſt this Bill; ſo I think, that if the Preſervation of our King, our Government, our Lives, and our Religion, be Things of Moment, that there is much to be ſaid for it. For although the Malignity of Men cannot deface his Majeſty's Goodneſs; yet by aſſiſting the Popiſh Faction, they have ſpoiled the beautiful Face of the beſt Government in the World, by breaking that good Correſpondence that there ought to be between the King and his People; by dividing us in Points of Religion; and by being the Cauſe of juſt Jealouſies and Fears: By which his Majeſty is reduced to great Difficulties and Trouble, in the Adminiſtration of his regal Authority; and the Credit, Peace, and Tranquillity of the Nation almoſt irrecoverably loſt. As to all which, the Art of Man cannot find out any Remedy, as long as there is a Popiſh Succeſſor, and the Fears of a Popiſh King; and therefore I humbly move you this Bill may paſs.'

Sir Francis Winnington.

'Mr. Speaker, Sir, the Arguments that have been uſed againſt this Bill may be very excellent to lull us into a fatal Security, by poſſeſſing us with Opinions, that there is no need of taking ſo much care about Popery; or that we ought not to oppoſe it; or that it will be to no purpoſe, becauſe we have no Power to hinder it. But I do not ſee what Weight they have in them, grounded on any other Conſideration, to hinder the paſſing this Bill. Rather, for the ſame Reaſon that ſuch Arguments as theſe here offered againſt this Bill, and ſuch Endeavours uſed abroad to reconcile the People to have a better Opinion of Popery than formerly, I think we ought to be the more zealous for this Bill; becauſe nothing can give a greater Encouragement and Aſſiſtance to Popery, than the growth of ſuch Opinions, nor prevent their Deſign who are induſtrious to infuſe them, than the paſſing of this Bill,

Bill. Whoever will conſider how this Monarchy hath declined in Grandeur, Honour, and Reputation abroad, by the Deſtruction of our Navy in 1666, and the little Appearance we have ever ſince made, of being formidable at Sea; but above all, our Miniſters Double-Dealing in the making of Alliances, or performing of them, (in order to keep up our Intereſt with France.) How from being Umpire to all this Part of the World, according to the Advantage which we have by our Situation, we are become the deſpicableſt Nation in Europe. How the Government is weakned at home, not only by Fears and Jealouſies, but by the Debaucheries and Diviſions which have been promoted amongſt our People; how narrowly we eſcaped Ruin when the City of London was burnt, as well as when the Toleration came out, and the Army was at Black-Heath? as lately by the horrid Plot, if it had not been diſcovered; how there is nothing ſtands between us and Death, but the King's Life; and how all theſe Dangers, paſt and preſent, do ariſe from Popery: And how impoſſible it is it ſhould be otherwiſe, as long as there is a Popiſh Succeſſor, we may juſtly admire there ſhould be any Arguments offered in this Place to leſſen our Care for preventing the Growth and Power of Popery. I cannot tell how theſe learned Members underſtand natural Juſtice; but I am of that Opinion, that Self-preſervation, and the Preſervation of our Religion, and the Life of our King, by all lawful Ways, is very agreeable to natural Juſtice. And I do admire to hear ſuch a Conſtruction made of the Oath of Allegiance, that it binds all Perſons to the next Heir, as well as to the King. For it is a moſt dangerous Maxim, and may be of ill Conſequence, if ever the next Heir of the Crown ſhould make a Rebellion; for he may thereby challenge Allegiance from the People, as well as the King; which might be of pernicious Conſequence. And I do not ſee wherein our Church or Religion can be ſcandalized by this Bill! For we do not diſinherit this Prince for his Religion, but to ſave our own, and to prevent the manifeſt Ruin of the Nation. And therefore I think it is a Kindneſs to the Church, above all Acts whatſoever; becauſe the only Way to preſerve it, I mean the Proteſtant Church. And thoſe Objections that have been made againſt the Lawfulneſs and Validity of this Act, do not weigh with me; but, notwithſtanding what hath been ſaid, I do believe it will be as good in Law, if once it be paſs'd, and will be as well obſerved too, as any Act whatſoever. The King hath his Right from God, and, as ſupreme, is accountable to none; his Perſon ſacred, and, by our Laws, can do no Wrong. If we ſhould give all theſe Qualifications to a Succeſſor, as hath been, in ſome meaſure, inſinuated, it would make a ſtrange Confuſion in the Government. Life itſelf, to which

Anno 31 Caroli II. 1679.

Anno 32 Car. II. 1680.

which a Man hath as much Right, as any Succeſſor can pretend to have to the Crown, is taken away upon ſome Forfeitures for the public Good. And as there may be a Forfeiture for Life, ſo there may be a Forfeiture of a Right to the Succeſſion. And to doubt that there is not an unlimited, uncontrolable Power reſiding ſomewhere in all Governments, to remedy the Exigencies that may happen, is to ſuppoſe there is ſuch a Weakneſs in this, or any other Government, as that it muſt fall when a powerful Faction ſhall endeavour it. In this Nation, this Power is in the King, Lords, and Commons; and I hope they will make uſe of it to preſerve the Government upon this Occaſion. And I do not doubt, but if the Bill paſs, all will obey it heartily, that wiſh well to the Proteſtant Religion. I am afraid, ſome Miniſters of State, place their Safety in common Ruin; or otherwiſe, the ſettling of this Affair would not have been ſo long delayed and oppoſed, as it hath been. Hath there not been contrived and practiſed, and is there not ſtill threatned, the greateſt and certaineſt Ruin to this Nation, by this Buſineſs of the Duke, that ever was yet projected; and muſt we be more ſtupified than our Anceſtors? Doth not the Act of the thirteenth of Queen Elizabeth, make it Treaſon for any one to ſay, That the Parliament cannot alter the Succeſſion? And in Henry the Eighth's time, was not the Right of Succeſſion changed, and rechanged by Act of Parliament?' He then inſtanced ſeveral Precedents, how the Succeſſion had been ſettled and altered by Acts of Parliament, ſince William the Conqueror's time, and concluded with a Motion for paſſing the Bill.

Colonel Leg.

'Mr. Speaker, Sir, it is my Misfortune to lie under the Diſreputation of being a Papiſt; but have now an Opportunity of ſhewing myſelf otherwiſe, in declaring that I am againſt this Bill; for I think there is none but Papiſts that are of Opinion, that a Man may be diſinherited for his Religion. I have alſo an Opportunity to ſhew my Duty to my Maſter, in declaring, that thoſe Reproaches which have been caſt upon him are, in my Opinion, very unjuſt; becauſe I believe he abhors the thoughts of doing thoſe Actions that have been imputed to him; and therefore do think it very hard, that becauſe he may differ with us in Points of Religion, that therefore his Reputation ſhould thus be called in queſtion in this Houſe. Sir, I cannot enter into a Diſpute with that worthy Member that ſpoke laſt, as to the Precedents he hath mentioned; becauſe I know he is very learned in the Law; and the underſtanding of ſuch things belong more particularly to ſuch as have had that Education: But I humbly offer it to the Conſideration of this Houſe, Whether or no, if our Engliſh Hiſtories be true,

true, moſt of thoſe Precedents were not accompanied with Blood and Miſery? And I am of Opinion, that if this Diſ-inheriting-Bill ſhould paſs, it will not have better Succeſs. I cannot doubt, but that this Houſe is for keeping up the monarchical Government of this Nation. We all know, how the Balance hath been altered by Henry the Seventh's leſſening the Peers; and Henry the Eighth's deſtroying the Church, and by the Sale of the Crown-Lands. I pray, Sir, let us have a care how we give a greater Blow than all this, by making the Crown elective. The King loſt his Father by one Rebellion, I know this Houſe would not willingly be the Cauſe of loſing his Brother by another; which I am afraid, this Bill, if it ſhould paſs, will occaſion hereafter; eſpecially if we name no Succeſſor: For which I am the more ſorry, becauſe I do not know for whom to draw my Sword.' Anno 31 Car. II. 1680.

'Mr. Speaker, Sir, I do obſerve, and am glad to ſee it, that all that have ſpoken in this Buſineſs, *pro* or *con*, ſeem to agree, that we ought to do all we can to preſerve the preſent Government, and prevent a civil War; but we differ about the Way: Some think, that this Bill is the only Way; and others are of a contrary Opinion, I cannot tell for what good Reaſon. For there being nothing intended by this Bill, but the Excluſion of the Duke only, in order to prevent the great Danger we lie under, by reaſon of his great Influence at Court at preſent; and thoſe we fear, if ever a Popiſh King ſhould aſcend the Throne. There being nothing in the Bill that tends any way to prejudice the next Heir, it cannot, in my poor Opinion, weaken, much leſs tend to alter, the preſent Government, or be any Prejudice to the Royal Family, more than in the Excluſion of this one Perſon intended by the Bill. From whom there can be no fear of a civil War; unleſs we ſhould imagine, that the People of this Nation, when they have a Law, upon the Obſervation and Execution whereof their Lives, Liberties, and Religion depend, they ſhould be ſo great Brutes as not to value themſelves thereon; but rather embrace a blind, ſuperſtitious Religion, and ſubmit to all the Slavery imaginable. We may as well think that, after the King's Deceaſe, the People will be willing to ſubmit to the Government, and pretended Authority of the Pope himſelf, though they ſhould be never ſo well able to defend themſelves. The worthy Member that ſpoke laſt, did in a manner affirm, that all the Precedents that have been mentioned, as to the Succeſſion of the Crown by Act of Parliament, have been accompanied with Blood. If he would but take the pains to peruſe the Hiſtories of England, I think he would be of another Opinion. But I am ſure, Sir H. Capel.

none

Anno 34 Car. II. 1682.

none ever equalled the ſhort Reign of Queen Mary. The Barbarities which were exerciſed in her Reign, by Fire and Faggot, may be put into the Balance with all the Inconveniencies that ever happened by any Excluſion-Act. But, Sir, if it had been ſo, which I utterly deny, it would not have ſignified much as to our Caſe; for in thoſe Days, Matter of Right was always ſo confounded, (I mean, as to the Underſtanding of the People) by the many Arguments that were impoſed on them by each Party, that neither Point of Right, nor any Conſideration, as to any thing of Intereſt, came fairly before them. Whether *A.* or *B.* ſhould be King, was their only Queſtion, without being laden with any Difficulties; as to which the common and major part of the People in thoſe days might probably be very indifferent. And yet, Sir, upon a full Examination it will be found, that moſt of thoſe Acts of Parliament, touching the Succeſſion, had the effect they were deſigned for; and did ſerve as Expedients, to prevent thoſe Miſeries which were feared, and were the occaſion of them. But, Sir, the Caſe will be now much otherwiſe, if ever you ſhould be ſo unfortunate, as that the Duke ſhould outlive the King, and you ſhould come to try the Strength of this Excluſion-Bill: For the Queſtion in this caſe will not be only whether *A.* which is excluded; or *B.* which is the next Heir, ſhall, according to this Act, be King; but whether it ſhall be a Papiſt or a Proteſtant. Upon which it will plainly appear, the Safety of their Eſtates, Lives, and Religion, doth depend. Sir, I have heard and read of ſtrange Things done by Popiſh Miracles; and I muſt confeſs, Sir, I have ſeen much of it, even amongſt many that pretend to be good Proteſtants, ſince the Plot broke out; I mean, as to their believing any thing againſt Popery. If ſome ſuch omnipotent Power ſhould hereafter over-rule in ſuch a Conjunction, haply this Bill, if it ſhould paſs into an Act, may be ſlighted and neglected; but otherwiſe I humbly conceive, it cannot be preſumed, that the Proteſtants ſhould omit to make uſe of it, to ſave themſelves from Popery and Slavery, which would be the conſequence thereof; and thereby not only prevent a Civil War, but ſupport the Government eſtabliſhed in the right Line. The truth is, Sir, the moſt material Obſervation that I can make of the Arguments againſt this Bill is, that it is thought too good for us; and that it may probably be effectual for the ſecuring of the Proteſtant Religion. And I am afraid, Sir, that this is the fatal Conſideration that hath prevailed with ſome, to adviſe the King not to grant it. If we conſider how all other Laws, which have been hitherto made againſt the Duke, have been defeated; we may, with ſome reaſon, fear the like Succeſs of all others that ſhall be made

made; unleſs you can do ſomething that may tend to chang- Anne 2 Car. II. 1680.
ing of the Intereſt; which can never be done without this Bill. We have a great many old Laws againſt Papiſts; but I did never hear that any thing was done, by virtue of them, that ever prejudiced the Duke; it was once attempted by a Preſentment made by a Grand Jury; the Succeſs was, that a known material Law of the Land muſt be broken, by an extrajudicial Diſcharge of the Jury, rather than the Law againſt him ſhould have any effect. There was a Law, not long ſince made, obliging all Perſons that held or executed any Office, to take the Tranſubſtantiation Teſt: It is true, the Duke was ſo brave-ſpirited, as not to diſſemble, and take the Teſt; though haply he was earneſtly preſs'd with a Diſpenſation. Yet hath not that Law had any effect, in favour of the Proteſtant Religion: for though the Duke hath not ſince acted in his Offices by himſelf; he put in, as his Deputies, Perſons of ſo much Gratitude, as have in all things followed his Directions; ſo that, as to himſelf, the Act hath not proved of any Force. There was another Act lately made, which was intended chiefly againſt him; I mean that of excluding Papiſts from ſitting in either Houſe; there he got himſelf fairly excepted by Name. Now we would ſecure our Religion by another Bill againſt him, I find it meets with oppoſition here; what it may meet with elſewhere, I cannot tell. But if ſuch be his Power under a Proteſtant King; what may we not juſtly fear, if he ſhould come to be King himſelf? I think, nothing leſs than Popery, Miſery, and Slavery; from which we can never be ſaved but by having this Bill: And therefore I humbly move you, that this Bill may paſs.'

'Mr. Speaker, Sir, I will not ſay, that Acts of Parliament cannot diſpoſe of the Succeſſion; becauſe it was made Treaſon, by a Statute in the 13th of Elizabeth, which I do not remember was ever repealed. But I will deny, that the Kings of England rule by virtue of any Statute-Law, as was ſuggeſted; for their Right is by ſo ancient a Preſcription, as that it may juſtly be ſaid, to be from God alone; and that no Power on Earth ought to diſpute it. And I am of opinion, that the Succeſſion of the Crown is inſeparably annexed to Proximity of Blood; and therefore am not yet altered in my opinion, that if this Bill ſhould paſs into a Law, it would be in itſelf invalid. Which, with what hath been already ſaid, that we cannot in Juſtice anſwer the inflicting of this ſevere Condemnation without hearing the Party concerned; and the Improbability of ever attaining this Bill, doth very much weigh with me for my Opinion againſt this Bill. But, Sir, I think there are many Doubts ariſe from the penning of the Bill. If the Princeſs of Orange ſhould Daniel Finch.

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come to the Crown, during the Duke's Life, and the Duke ſhould afterwards have a Son, muſt that Son loſe his Right for ever? I ſee no Proviſion made by this Act to ſave his Right; and may not that occaſion as great a civil War, between his Generation and the Princeſs's Children, as ever happened between York and Lancaſter; and, Sir, I am ſtill unſatisfied, as to that Proviſo about the Duke's Children, and that it is not made as it ought to be; and I am afraid, that in the whole matter we are gratifying France, and the Papiſts too, by laying a Stumbling-block of Diviſion even amongſt Proteſtants themſelves, and giving ſo great an occaſion for a civil War; which I hope you will endeavour to prevent, by throwing out this Bill.'

John Trenchard.

'Mr. Speaker, Sir, I have hearkned to the Objections that have been made againſt this Bill, which have not convinced me, that we want either a juſt Cauſe, or a legal Power, for the making of this Bill. If the Popiſh Intereſt be grown too ſtrong for the Proteſtant, then any of theſe Arguments may ſerve; for Force and Power will ſupply the Defect of them. Otherwiſe I think they have been ſo fully anſwered, as that there is no need more ſhould be ſaid about this matter; but I am ſorry to ſee, that the Proteſtant Religion, and our Lives and Liberties, muſt have nothing to depend on, but the Continuance of the King's Life, and the Good-nature of the Popiſh Party afterward. And this, after ſuch Demonſtration as we have of the Intereſt of that Party in France, Scotland, and Ireland, as well as here; and after a full Detection of the Growth of that Intereſt, by means of the Duke's; and of the Endeavours that are uſed to poſſeſs the Proteſtants, with ſeveral opinions that will tend very much to the ſtrengthening of it; and a clear Diſcovery, that the Plot in favour of Popery goeth on as much as ever. It hath created in me an opinion, that Popery is too ſtrong to be ſubdued by Laws; and that, after this King's Life, the Proteſtant Religion muſt either be overcome by Popery, or defend itſelf by the Sword. At leaſt, I believe, that this is the deſign of ſome Men now about the King; but I hope he will at laſt hearken to the Advice of his Parliament, and prevent the Nation from falling into ſo miſerable a Condition. The Objection made about the Duke's Son, if he ſhould have any, after either of his Daughters have taken poſſeſſion of the Government, may, in ſome meaſure, be made againſt the courſe of Succeſſion obſerved in all Kingdoms: If a King die, leaving a Queen, the next Heir is preſently proclaimed, to prevent an *Inter-regnum*; though there be a poſſibility of the Queen's being with Child, to whom the Right ſhould, in the firſt place, belong. If any ſuch ſhould be born, ſuch a Settlement as is

deſigned

deſigned by this Bill may deſtroy the French and Popiſh Intereſt, but can never be a Gratification to them. Our Anceſtors, upon many occaſions, ſettled and changed the Succeſſion;' [Of which he gave many inſtances; and concluded for the Bill.]

After which it was reſolv'd, that the ſaid Bill do paſs; that the Title be, *An Act for ſecuring the Proteſtant Religion, by diſabling James Duke of York, to inherit the Imperial Crown of England and Ireland, and the Dominions and Territories thereunto belonging:* and that the Lord Ruſſel do carry up the Bill to the Lords for their Concurrence. The Exclusion-Bill paſs'd.

November 12. The Houſe reſolved, that a Meſſage be ſent to the Lords, to acquaint them with the Reſolution of this Houſe to proceed to the Trials of the Lords in the Tower, and forthwith begin with the Lord Viſcount Stafford, and to deſire their Lordſhips to appoint a convenient Day for the Trial of the ſaid Viſcount; and, likewiſe to deſire their Lordſhips, that the Lords in the Tower may be confin'd and kept from Correſpondence one with another, as uſual in the like caſes. Proceedings againſt Lord Stafford renew'd.

To which their Lordſhips reply'd the ſame day, That as to the Confinement of the Lords, they had already given orders as the Houſe deſired; and that as to the Trial of the Lord Viſcount Stafford, they had appointed Tueſday come Fortnight for the ſaid Trial.

The 13th, Several Citizens of London having before delivered in a Petition againſt Sir George Jefferies the Recorder of the ſaid City; and having made good their Allegations before the Committee appointed to enquire after Perſons who had offended againſt the Right of the Subject to petition, *&c.* the Houſe reſolved, that the ſaid Sir George Jefferies, by traducing and obſtructing petitioning for the Sitting of this Parliament, hath betray'd the Rights of the Subject. And againſt ſuch as had oppoſed the Right of the Subject to petition.

Order'd, That an Addreſs be made to his Majeſty, to remove Sir George Jefferies out of all public Offices; and that the Members for London do communicate the Vote of this Houſe, relating to Sir George Jefferies, to the Court of Aldermen for the ſaid City.

Order'd farther, That the Committee laſt mentioned do enquire after all ſuch Perſons as have been adviſing or promoting of the iſſuing out of the late Proclamation againſt tumultuous Petitioning, *&c.* and they are empowered to ſend for Perſons, Papers, and Records. Debate on his Majeſty's Meſſage concerning Tangier.

The 17th, His Majeſty's Meſſage about Tangier was read. ' His Majeſty did, in his Speech at the Opening of ' this Seſſion, deſire the Advice and Aſſiſtance of his Par- ' liament, in relation to Tangier: The Condition and Im-

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'portance of the Place obliges his Majeſty to put this Houſe 'in mind again, that he relies upon them for the Support of 'it; without which it cannot be much longer preſerv'd. His 'Majeſty doth therefore very earneſtly recommend Tangier 'again, to the due and ſpeedy Care and Conſideration of this 'Houſe.'

Sir William Jones.

'Mr. Speaker, Sir, I am very ſorry that the Buſineſs of Supply for Tangier is now moved; becauſe I take it to be a Place of great Importance, and that, as well for the Honour of the Nation, as Benefit of Trade, it ought to be preſerved. But, Sir, we have now Things of greater Importance to look after, of ſo preſſing a nature, and of ſo dangerous conſequence, if delayed, that we cannot anſwer, either to our King or our Country, the preferring this before it. It is a Duty incumbent on us, to ſecure Things at home, on which our All depends, before we enter into an Expence of Time about ſecuring Things abroad. If an Enemy were but coming to invade us, it might be proper to fortify Dover-Caſtle, Portſmouth, or Plymouth, or any of our Port-Towns: But if an Enemy were actually landed, it would be more proper to ſtrengthen London, or other in-land Cities or Towns. I am afraid, Sir, this is too much our Caſe; I am afraid we have got an Enemy within our Bowels, and a great one too; and that it is high time to make Preparation to oppoſe him. We have been already careleſs and inconſiderate too long; and ſhall we now go about Tangier, inſtead of continuing our Endeavours about that? Tangier may be of great Importance to Trade; but I am afraid, hath not been ſo managed, as to be any Security to the Proteſtant Religion. The Portugueze, when they delivered it up, did covenant to have one Popiſh Church remain there, for the Conveniency of ſome Prieſts and Friers, and others of that Nation that were permitted to ſtay there; but it was then agreed, That their Mortality ſhould not be ſupplied, that ſo, after the deceaſe of thoſe Perſons, the ſaid Popiſh Church might be demoliſhed, or converted to a Proteſtant Uſe: But I am well informed that it hath been otherwiſe managed; and that the Papiſts there are now more than ever. And was not my Lord Bellaſis, now a Priſoner in the Tower for the Plot, Governor of Tangier? And, I think ſome others of that Religion; if not, I am ſure the Soldiers and Commanders are moſt of that Religion; which makes me conclude, it is a kind of Nurſery for Popiſh Soldiers; and haply for that Reaſon, as much as for the Advantage of Trade, may the Advice given his Majeſty, in reference to Tangier, proceed. But, Sir, there is another Conſideration, which will make the Debate of Tangier improper at this Time; it muſt end in Money, and not a little Sum

Sum neither, enough to raiſe an Army; which, although in time I doubt not but this Houſe will be willing to advance, as far as his Majeſty's occaſions ſhall require; yet I think, Sir, we are not ready for it as yet. We muſt be better ſatisfied into whoſe Hands it will go; whether to ſuch Perſons as are for the Popiſh Intereſt, or Proteſtant; that ſo we may not be afraid, that, inſtead of going to the Support of Tangier, it ſhould be employed to the Deſtruction of the Proteſtant Religion. When theſe things have been looked into, and ſecured, then it will be time to take care of Tangier, and of all other his Majeſty's Dominions. In the mean time, our Duty binds us to give his Majeſty all the ſatisfaction we can, as to our Proceedings; and therefore I humbly move you, that a Committee may be appointed to draw up an Addreſs for that purpoſe.' Anno 32 Car. II. 1680.

'Mr. Speaker, Sir, every one that knows how advantageouſly Tangier is ſituated, to command the greateſt thoroughfare of Commerce in the World, and how by the Advantage of the Mole, it is like to prove an excellent Receptacle for our Merchant-Ships, to further and ſecure them in their Trading Voyages into the Streights, and for our Men of War, when they may be employed in thoſe Parts, to check or oppoſe the Turks or other Enemies; how advantageous it is for carrying on a Trade with Spain, in caſes of Extremity; and what hopes we have of opening a Trade into Barbary that way; I ſay, every one that will conſider theſe things, will, I ſuppoſe, have reaſon to conclude, that it is a Place of great Importance, and not to be ſlighted. And I cannot believe that it is any Nurſery for Popiſh Soldiers, as hath been argued; for it is well known under what a Regulation our Soldiers are, not only here in England, but in Ireland too, of taking ſuch Oaths and Teſts as ſecures them to be Proteſtants. And therefore I am confident they were not Papiſts when they went hence, or from Ireland; and I have not heard there is any ſuch Converſion made among them there, nor do believe there are ſo many Inſtruments there for that Work. If this Buſineſs come before you unſeaſonably at this time, it is becauſe the Neceſſity of the Affair requires haſte: For, either this Houſe muſt ſpeedily give ſome Aſſiſtance for Tangier, or elſe it will be loſt. For the Moors are come down with ſuch a mighty Army, and his Majeſty hath been at ſo great an Expence already, that he is not able of himſelf to do more to oppoſe them. And this ſudden Danger could not by any means have been foreſeen; for the Motions of the Moors with their Armies are not like thoſe of Europe, but more quick and ſudden; and their Deſigns and Conſultations out of the reach of any Diſcovery by Intelligence, before put in execution. This Laurence Hyde.

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Notice is more ſeaſonable now, than it would have been after the Place had been loſt, which I am afraid will be the next news, if ſomething be not done by this Houſe to relieve it. And therefore I humbly move you to think of ſome effectual way to relieve it for the preſent, and ſecure it for the future, againſt the like Attempts.'

John Hampden.

'Mr. Speaker, Sir, among the reſt of the Regiments that have been ſent to Tangier, I think there is my Lord of Dunbarton's; haply that Air might have changed them, but I am ſure they were looked upon as rank Papiſts all the while they were here, and, I believe, in Ireland too. I have heard that one Argument, that was lately given elſewhere againſt a Bill which we paſſed in this Houſe, was, that the Duke had all the Papiſts in England ready for his Aſſiſtance; that his particular Friends had the Command of all the Places of Strength in this Nation; that he had an Army of twenty-two thouſand Men in Scotland at his Command; that in Ireland the Papiſts were ſix to one for the Proteſtants; and that moſt of the Princes of Chriſtendom were combined for his Aſſiſtance; add to this, that the Government of Tangier is alſo at his command, and, I think, we ſhall have no great reaſon to give Money as yet; I am very well ſatisfied, Sir, that we ought, and muſt put a truſt in the King; an Argument much uſed in former Parliaments, I do admire hath been ſo long forgotten in this. I am ſenſible too, that this Nation cannot be happy, unleſs there be ſuch an Underſtanding between the King and his People, as that Money may be given. But, Sir, if the things I have repeated be true, as I am afraid they are, how ſhall we be ſure, that what Money we give ſhall ever go to the King? May it not be intercepted by the mighty Power we have been ſpeaking of? May it not be a great temptation for carrying on the Plot, eſpecially as to that Part of it that refers to his ſacred Life? If there were no other Reaſon to be given but this, why we cannot at this time give Money, I think it enough: For there is a perfect Contradiction between the King's Intereſt and the Duke's Intereſt; and until we ſee about the King, Perſons leſs engaged for the Duke's Intereſt, we cannot anſwer the giving of Money; and I humbly move you, that the Committee may make this Conſideration part of their Addreſs.'

William Harbord.

'Mr. Speaker, Sir, my Lord Bellaſis hath not only been Governor of Tangier, but of Hull too; and what a Place is that to be entruſted with a Papiſt, I refer to your Conſideration. And he was not only always in Places of great Truſt, but in ſo great a Power, that none of the Laws of this Land could ever reach him. Only upon breaking out of the Plot, he was committed to the Tower; but now that he

he is there, he hath so much Power, (he or his Friends for him) as that he hath all the liberty he can there desire; and farther Proceedings against him are kept off by Prorogations and Dissolutions of Parliaments. By which the Evidence of the most material Witnesses, as to the Plot, is lost, and great Endeavours have not been wanting to corrupt or defame the rest. By which it is plain, though he be in the Tower, yet his Interest is not much abated; insomuch, as many believe, that the Duke's Interest and Popery, is in a great measure carried on, upon Consultations held with him, and some of the rest in the Tower. At least this is certain, that they know all Secrets of State as soon as any Persons without. And therefore I think we are not yet ripe to give Money for Tangier. And, Sir, I am of opinion, that Tangier is a Nursery for Popish Soldiers; amongst the rest, I think Captain Tom is there, who was to have headed the Apprentices Mutiny in London, and, if I be not misinformed, a Captain too for that intended eminent Service. When we are assured that we shall have a good Protestant Governor and Garrison in Tangier, then I shall heartily give my Vote for Money for it; but I am afraid that will never be, until we are sure of a good Protestant Successor at home. Sir, I see that new Dangers start up daily, and that the Popish Interest is strong enough to bid defiance to the Protestants, the Power and Merits of the Duke being magnified frequently above the King's. How to prevent the Growth of it, I do not know; all that we can do at this time is, to appoint a Committee to draw up an Address (as hath been moved) to represent things fairly to the King, and pray, Sir, let it be drawn with that Duty and Humility as becomes Subjects, but with that Truth and Plainness as becomes a true English House of Commons.'

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'Mr. Speaker, Sir, I am very sensible of the Danger of Popery, and am sorry to see that our Danger is now greater, than it was seven Days ago; seeing we are not like to have those Laws to secure us, which we hoped for; and therefore I am not for entering into any Debate about Money. But, Sir, seeing that Tangier is a Place of so great Importance, and in so great Distress, and seeing his Majesty hath so heartily and earnestly recommended it to the Care of this House, as well by this Message, as by his Speech at the Opening of this Parliament; I humbly conceive you will do well to order, that a true Account be brought in of the State of Tangier, that so it may be in a readiness to be considered at a more leisure time, when you have found out, and are assured, that you shall have some Expedients to secure you from Popery, that may satisfy this House instead of the Exclusion-Bill. Some such order may satisfy the World,

Edward Dering.

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World, that we were making all the haſte we could to ſupply it, that ſo the Loſs of it (in caſe it ſhould ſo happen) may not be imputed to this Houſe. And I make no doubt but there may be ſome way found out, ſo to lodge and appropriate the Money, as that it may be ſecure for that uſe; and therefore I humbly move you that you would order, that an Account of the State and Condition of Tangier may be brought in.'

Col. Birch.

'Mr. Speaker, Sir, I could wiſh our Fears and Jealouſies were either ſo inconſiderable, or ſo well over, as that we were ripe to conſider the State of Tangier, and into whoſe hands to lodge Money for it. But if our Bill be miſcarried, and the Power and Strength of the Duke's Party be as I have heard, I think we ought in the firſt place to conſider, whether we have any thing to give or no. And if we find we have not, or that it is in great jeopardy, I think we ought firſt to ſecure that a little better, before we treat of ſecuring Tangier. I confeſs the Arguments that I hear have been uſed elſewhere againſt our Bill, have a little ſtartled me. For now I ſee why all the Laws made againſt the Duke have proved ineffectual; and that notwithſtanding all the Endeavours of Parliament, he hath had the Adminiſtration of all Affairs, not only in England and Scotland, but I think in Ireland too, (if we believe the Iriſh Witneſſes,) even ſince the breaking out of the Plot: Even becauſe the Duke and the Popiſh Intereſt are, I am afraid, ſtrong enough for the King and the Proteſtant Intereſt. And, if ſo, I think we may take it for granted, that we have not any thing of our own; for I conclude, if Popery come in, not only the Church-Lands, but all the Lands we have will be little enough for them; for they will never want a good, holy, ſanctified, religious Pretence, to take them from us: Rather than fail, I doubt not but that they will be able convincingly to make out, that we are Baſtards, or that they have a Right *jure divino*; to which there can be no oppoſition.

'Sir, I think we cannot anſwer to God nor Man the giving of Money, until there be a great Reformation all over the Nation, as to Perſons in Truſt and Command. Not but that there are very worthy Men in ſeveral Places; but I am afraid, no where without being overpowered by ſuch who are for the Duke's Intereſt: And for my part, I deſire to ſpeak plain, I cannot make any Diſtinction between the Duke's Intereſt and the Popiſh Intereſt. If there be any body that can ſplit that Hair, I wiſh he would do the Houſe that Service; for I take it to be a material Point, and fit to be agreed ſome way. And if it be ſo, Sir, can we give Money, as long as there are eleven to ſeven in ſome Places certainly

certainly known, and all in others, and in Places of great Importance too?

Sir, I am very ſenſible that this Seſſion can never be ſucceſsful, nor the Nation happy, unleſs we come to have ſo fair an Underſtanding with his Majeſty, as that we may freely give him Money; which ſeeing it cannot be done with any Security to the King or his Government, as long as the great Affairs of this Nation are thus influenced, that there may be no juſt cauſe of having any Imputation lie at our door, I agree in the Motions that have been made for an Addreſs, and deſire it may be drawn very full and plain.'

' Mr. Speaker, Sir, I am much afraid of Tangier, but more of a Popiſh Succeſſor. By the one we may loſe ſomething of Trade; but by the other, our Religion, and all we have, ſtands in danger. And therefore, until we are ſecured as to that, for my own part, I do not think myſelf concerned in any thing elſe. Sir, for theſe two Years laſt paſt, there hath been talk of Expedients to ſecure us againſt Popery; I believe it was only to quiet our Thoughts, while Popery ſteals on upon us. For we are ſo far from having any Expedients brought to perfection, to ſecure us againſt Popery, that all Endeavours go on as much as ever to bring in Popery: Parliaments are kept off; the Witneſſes as to the Plots, both Engliſh and Iriſh, abuſed and conſumed; the Churchmen ſet up to labour for a Proſecution of the Diſſenters, in order to divide yet more the Proteſtant Intereſt; and falſe Witneſſes, in favour of Popery, countenanced and encouraged.

George Vernon.

' Sir, theſe are ſtrange Expedients againſt Popery; I begin to be perſuaded, that our Caſe is very deſperate, and that the Popiſh Party themſelves cannot contrive any thing for us that will look like an Expedient: For I make no doubt, but the whole Cabal of Jeſuits have been at work about it, and that they would have ſpawned ſomething, if it had been poſſible, before now. But I believe it is found to be very difficult to find out any thing that will look like an Expedient, and yet not prove ſo: And therefore now they are plainly carrying on thoſe things that muſt be proſecuted in order to eſtabliſh Popery, in caſe the Expectation of Expedients ſhould not longer lull the People aſleep; the ridiculing of the Plot, the Diviſions between our Churchmen and Diſſenters, and the Danger or Inconſiſtency of Parliaments with a monarchical Government: Which things will deſerve a longer Debate, when you ſhall think good to appoint a Day for them. But, in the mean time, without endangering the Religion and Government of the Nation. But that we may always ſhew to his Majeſty's Meſſages, that

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Respect which is due to them, and, if possible, satisfy him, that our Resolutions are grounded on true Reason; let a Committee be appointed to draw up an Address, upon the Debate of the House.'

Silas Titus.

'Mr. Speaker, Sir, I think that nobody should move you to take the State of Tangier into your consideration at this time, without an Apology: For, if we should be persuaded thereto, we may be reflected on, as Nero was, for being playing on his Fiddle when Rome was on fire. When we are in such danger to have our Throats cut from within, to what purpose will it be to spend our time about securing things abroad? Especially when we plainly see, it cannot be effected by any Supplies, without increasing our Fears and Dangers of our Destruction. Is not all England in danger to be lost? Let us secure the Ship, before we dispose of the Cabbins. When we are secure against a Popish Successor, and the Fear of having a Popish King, then it will be time to think of Tangier: For, as the Power of a Popish Successor hath lately appeared in the Opposition made to our Bill, so, I make no doubt but it will appear in the Management of our Money too, if we should give any. When the Stomach is clean, what Food a Man takes turns to Nutriment, and preserves the Life and Strength of the Body; but when the Stomach is foul, Food turns to Humour and Destruction. Sir, so it is with the Body politic: When the King shall be pleased to remove from him such as give him ill advice, and are against the Protestant Interest, that so we may have reason to presume, that the Money will be employed for our good, then I hope we shall be ready to shew our Duty, in giving as much Money as his Occasions shall require; otherwise I am afraid we may be served as we have been formerly. I remember when 1,100,000 l. was given for building of Ships, and not one Ship built; and above two Millions given to support the Triple League, and then it was presently employed for the breaking of it; when 1,200,000 l. was given for an actual War with France, when at the same time we were under all the Obligations for Peace, and so continued. Sir, these are such material Memento's, as we ought never to forget, until we have more cause to look forwards, and not backwards; which I pray God we may have very speedily, and then I shall be ready to join in giving of Money, and be very well content to forget all that is past. But I yet think our Condition is not so happy, but rather fear the Management of our Affairs is very much out of order: For, though we had never more Treasurers, we had never less Money; never more Admirals, yet never a worse Fleet; and though never more Counsellors, yet never less Safety. Of which I hope his Majesty is, or will be

ſenſible. For it cannot be imagined, that, ſeeing he hath ſo much care for Tangier, he ſhould want any for the Nation. That we may do our duty in giving him the beſt advice we can, let us give him the Grounds and Reaſons of our Proceedings by an Addreſs, as hath been moved.'

Lord Ruſſel.

'Mr. Speaker, if ever there ſhould happen in this Nation any ſuch Change, as that I ſhould not have liberty to live a Proteſtant, I am reſolved to die one; and therefore would not willingly have the hands of our Enemies ſtrengthened, as I ſuppoſe they would be, if we ſhould give Money while we are ſure it muſt go to the hands of the Duke's Creatures. Doth not the Duke's Intereſt endanger the King's Life? And are not our Lives and Fortunes in danger to be ſwallowed up by his Power? And ſhall we yet make them ſtronger by putting Money into their hands? No Sir, they are too ſtrong already; but whenever his Majeſty ſhall be pleaſed to free us of the Danger of a Popiſh Succeſſor, and remove, from his Council and Places of Truſt, all thoſe that are for his Intereſt, (becauſe there can be no diſtinction made between the Duke's Intereſt and Popiſh) then, Sir, I will conclude, that what Money we ſhall give, will be diſpoſed of according to his Majeſty's own Royal Pleaſure, and for the true Proteſtant Intereſt. And I ſhall be ready to give all I have in the world, if his Majeſty ſhould have occaſion for it; but in the mean time I pray, Sir, let us not endeavour to deſtroy our ſelves by our own hands. If we may not be ſo happy as to better the Condition of the Nation, I pray, Sir, let us not make it worſe. And until the King ſhall be pleaſed to give us encouragement to expreſs our Duty and Loyalty to him, by giving him Money, let us do it by making an Addreſs.'

William Lenthal.

'Mr. Speaker, Sir, I have reaſon to have ſome knowledge of Tangier, having been there myſelf, and converſed all my Life-time with Perſons that have gone up and down the Streights, and been there many times, but I cannot agree with thoſe worthy Members that make it a Place of ſo great Importance. That we ſhall ever thereby open a Trade with the Moors is a mere chimæra; they will not have any Trade with us. All the hopes we can have of any Advantage from it, is from the Mole, if it ſhould be finiſhed. But I am afraid we have ſeen the beſt of it, and that it will hardly ever be brought to more perfection than it is. But, Sir, if it ſhould, in a time of Peace with Spain, it will be of little uſe to us; for the Bay of Cadiz is upon ſeveral Accounts ſo much more convenient for Ships to ſtop at, that it will always be preferred. For they will not only have a Safe-riding, but the Merchant Ships great Advantages made by Freight of Sales of Goods, which generally

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happens in that Port, and of good Company, whether going up or down the Streights. Our Men of War do not there want Conveniencies to careen, or other Neceſſaries, and will be then more ready to do the Nation Service, by convoying Ships, than at Tangier, as alſo to carry on the Money Trade. But it is true, that in a Time of a War with Spain, it would be very ſerviceable to us. But if it muſt coſt 100,000 *l. per Annum*, and if a War with Spain be not like to happen one Year in twenty, I am of opinion that the certain Charge will amount to more than the uncertain Inconvenience, and therefore that we need not be ſo extremely concerned for it.'

Thomas Lucy.

'Mr. Speaker, Sir, I ſhould not have concerned myſelf in this Debate, but that I differ from that worthy Member that ſpoke laſt: For I think it would be a great Blow, not only to the Honour, but to the Trade of the Nation, if Tangier ſhould be loſt: For it will always be ſerviceable, as well for our Men of War to reſort for Proviſions, and to be cleaned, in order to check the Rapine of the Turks, or oppoſe other Enemies, as for the Protection of our Merchant-men. In time of Peace with Spain, it will (if we have Enemies) be better to have two Ports than one; in time of War with Spain, much better have this than none: And even in the time of Peace, it muſt be ſerviceable upon many Occaſions, becauſe of its Situation on the Barbary ſide, as I take it, and Cadiz on the Chriſtian Shore, and both near the Streights Mouth, the greateſt Paſſage for Ships in the World. And by parting with it, we may not only be prejudiced for want of the Conveniency of it, but by the great Inconveniencies that may ariſe, by falling into the Hands of the French, Turks, Moors or Spaniards. And therefore I think the Charge of maintaining it muſt not be conſidered in this Caſe; and it is not ſo much, but that if we could once fall into the way of ſending good Governors there, that would mind the promoting of Trade, haply the Gains that might be levied thereon would in ſome time prove ſufficient to maintain the Garriſon. And if we ſhould now part with it, we ſhould loſe the two Millions we have laid out on the Mole, which I think may alſo be worth our Conſideration. Sir, I do well remember what a Cry there was in this Nation, upon the delivery up of Dunkirk to the French; I believe if Tangier ſhould be delivered up, there would be more, and I think not without cauſe too: For I am afraid, that whenever we may have a War with France, we ſhall find that he hath already too many Locks upon us in the Streights, ſeeing he is ſo formidable at Sea. And I think if it were for no other Reaſon but to ſecure the Place out of his Hands, we ought to keep the Poſſeſſion of this Place.'

'Mr.

'Mr. Speaker, Sir, by the Diſcourſe which the worthy Member made who ſpoke laſt, I hope you are fully ſatisfy'd that Tangier is a Place of great Importance, and you may conclude that his Majeſty is clearly of that Opinion, or elſe it is not likely, that after he had recommended it to you in his Speech, he would now ſo ſoon have minded you of it again by his Meſſage. And being ſo, I hope this Houſe will not have the Loſs of it lie at their Doors, which I take for granted, will be the Fate thereof, if ſome ſupply be not given for its ſupport ſpeedily: For his Majeſty's Revenue will not bear the advancing of more Money towards it, the great Supplies lately ſent having been very chargeable; and yet there muſt be an additional Supply, and that a conſiderable one too, ere long, to make up the Garriſon four thouſand Men, or elſe the Governor writes he cannot be in a Poſture to defend the Town, the Army of the Moors is ſo potent.

Sir L. Jenkins.

'Sir, I have heard the many Reaſons that have been given, why Money cannot be at preſent advanced, I cannot ſay, without being much concerned to hear the Miniſters ſo arraigned, and I think without cauſe; for I believe there are none about his Majeſty but what are very good Proteſtants, and willing to do all they can for that Intereſt: Which I hope upon a farther Conſideration will not be found to be in ſuch apparent danger. But if there be any thing amiſs, which in the Management of ſo great Affairs under ſuch Difficulties as the Nation hath lately ſtruggled under, may poſſibly be, I am confident the loſs of Tangier will no way remedy it; but, on the contrary, the giving of Money for the Support of Tangier, being his Majeſty doth ſo earneſtly deſire it, is, I think, the only way of this Houſe to gain a good Opinion with his Majeſty, and to obtain what they deſire; and therefore I hope you will take it into your Conſideration.'

'Mr. Speaker, Sir, my Apprehenſions as to the State of the Nation, and Danger of Popery, are no way abated by what this honourable Member hath ſaid; and therefore I think the Buſineſs of Tangier looks too little for this Day's Debate; eſpecially if we conſider how the Bill, upon which all our Hopes were grounded, as to the Security of our Religion, hath been uſed by the Lords, thrown out without ſo much as a Conference, whereas they do not uſually do ſo, with Bills that relate to ſome little Trade. It is ſtrange that after they have ſo often declared the Danger of Popery, and a Popiſh Plot, they will neither receive any Remedy from us, nor propoſe any to us. But rather, on the contrary, be ſo induſtrious to blaſt all our Endeavours that tend that way; well may we be afraid of our Religion, if the Fathers of the Church will join, in being againſt the only Means that can ſave it. Theſe are freſh Inſtances of the mighty Power and

Sir F. Winnington.

Influence

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Influence of a Popiſh Succeſſor; what may we expect from them if we ſhould have a Popiſh King? I think, Sir, if there were no other Reaſon, it is enough to make us cautious how we give Money; and to take ſuch notice of it in our Addreſs as may be convenient.'

Sir William Temple.

'Mr. Speaker, Sir, this Debate hath more of Weight in it, than the Buſineſs of Tangier, I think. As Affairs now ſtand, the moſt Part of Chriſtendom is concerned in it, I am ſure all the Proteſtants. And therefore I hope your Patience will hold out, to have the whole Circumſtances of it fairly examined: For the Arguments that have been offered in the Conſideration of this Meſſage, have inlarged the Debate farther than was at firſt intended, and have brought the whole State of the Nation in ſome meaſure before you, inſtead of that one particular Buſineſs of Tangier; ſo that now what Reſolve you make will be a Diſcovery of your Inclinations, not only as to what you intend to do as to a Supply for Tangier, but as to giving Money for Alliances and all other Occaſions, upon which Reſult, the good or bad Succeſs of this Parliament doth depend. As to Tangier, I do agree with that worthy Member that ſpoke before, (though many are of a different Opinion) that it is not of any great uſe to us upon the account of any Advantage we ſhall make by it. But however, I think it is very well worth our keeping, becauſe of the Diſadvantages we ſhould receive by it, if it ſhould fall into the Hands either of the Turk, or Spaniard, but eſpecially the French; who will not only be thereby enabled to fetter us, as to our Trade in the Levant, but to curb alſo all other Nations whatſoever, and be ſuch an Addition to the too great Power he hath acquired, both by Sea and Land already, that I am of Opinion, we ought to be very cautious how we weaken the Security we now have that it ſhall not fall into his hands. But if the Mole and the Town could be blown into the Air, or otherwiſe reduced into its firſt Chaos, I think, conſidering the Charge it will coſt keeping, England would not be much the worſe for it; but to move you to conſider any thing about that, at this time, cannot be proper, becauſe the Moors have ſo beſieged it, that the firſt Thing that muſt be done, whether in order to keep it, or deſtroy it, is, to beat them off, by ſome ſpeedy Supplies which muſt be preſently ſent, or elſe the Town, according to the beſt Information come from thence, is like to be loſt. And, Sir, I think this ſingle Conſideration may be perſuaſive to move you to give ſome ſuch Supply, as may be preciſely neceſſary for the Defence and Protection of this Place. A ſmall Sum of Money, in compariſon of what this Houſe hath formerly given, may be ſufficient

ſufficient to ſatisfy his Majeſty's Expectation, and ſecure the Place too. But I muſt confeſs, Sir, it is not the Conſideration of Tangier that makes me preſs you to it; but the deplorable Eſtate of the Proteſtants abroad. Sir, I have had the Honour to ſerve his Majeſty in ſome Public Employments, and by that means may be a little more ſenſible of the State of Affairs in reference to our Neighbours, than others may be, having not only had the Advantage of Information, but was under a neceſſity of uſing my beſt Endeavours to get a true Account of them. Sir, I am confident the Eyes of all Europe are upon this Parliament; and not only the Proteſtants abroad, but many Catholic Countries, (who ſtand in fear of the Power of France) do think themſelves as much concerned in the Succeſs of this Parliament, as this Houſe, and will be as much perplexed to hear any Ill-News thereof. This, Sir, as well as the Neceſſities of our Affairs at home, makes me trouble you at this Time, to deſire you to be careful what you do, that we may not occaſion in his Majeſty any diſlike to this Houſe. Whatever you do as to the Buſineſs of Money for Tangier, I pray, Sir, let there be no notice taken in your Addreſs, of the Lords having caſt out your Bill; for we have no reaſon to think the King was any ways concerned therein. To throw out a Bill of ſo great Importance, without a Conference, was, in my humble Opinion, very ſtrange, and contrary to the uſual Proceedings of that Houſe. But pray, Sir, let it lie at their doors that did it, for the King could not be concerned in a Parliamentary Way. For by this means we may obviate all Miſunderſtandings with his Majeſty about this Affair, and, I hope, create in him a good Opinion of this Houſe, upon which the Welfare not only of this Nation, but of Europe, doth much depend.

'Sir, his Majeſty in his Meſſage puts you in mind of giving Advice as well as Money. I think if we make that Expreſſion the ground of our Addreſs, we may naturally graft very good Things thereon, eſpecially what may conduce to the Preſervation of a fair Correſpondence. Sir, Though a King alone cannot ſave a Kingdom, yet a King alone can do very much to ruin it: and though Parliaments alone cannot ſave this Kingdom, yet Parliaments alone may do much to ruin it. And therefore we cannot be too circumſpect in what we do. It is our Fortune to ſit here in a critical Time, when not only the Affairs of this Nation, but the Proteſtant Religion abroad, need our Continuance; and for the ſame reaſon we may juſtly fear, that there are thoſe who endeavour to contrive the putting off this Parliament. I pray, Sir, let us not give them any Advantage,

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vantage, and then I doubt not but his Majesty's Care and Goodness will at last overcome all Difficulties, and bring this Session to a happy Conclusion.'

Edward Dering.

'Mr. Speaker, Sir, I think his Majesty may easily send Succour to Tangier without any great Charge. Here are three or four Regiments of Soldiers about this Town, which do rather hurt, than good to the Nation; and therefore may very well be spared; and then that Money which pays them now here, may pay them there, and so I suppose there will be no need of Money, save only for their Transportation.'

'Mr. Speaker, Sir, This Business hath been so long and fairly debated, as that I think it is high time you should come to a Question, and put the Business off your Hands. I hope there will be great care taken in drawing this Address, that so our Enemies may not have any ground to represent us as a stubborn Parliament, that have no Intention to give Money upon any Terms whatsoever. I think, Sir, we may be plain with his Majesty, and give him as full Assurance as ever any House of Commons did, that when we have those Things granted, which are unavoidably necessary for the Preservation of our Religion, that we will freely and heartily give Money for the Supply of his Occasions; and I cannot but hope, that such fair Proceedings will occasion a happy Issue to this Parliament. For it cannot be doubted, but that the King is very sensible, That he owes more to his People in general, than to any one Man, be he Brother, or any other Relation; and that he cannot, without much trouble to himself, because of his Coronation Oath, longer permit that our Laws and Religion should be in such imminent danger. And therefore I hope that we shall not only have a fair Correspondency continued, but also a gracious Compliance, in what we have desired for the effectual Security of our Religion, and therefore would desire you to put the Question for a Committee.'

Resolved, That a Committee be appointed to draw up an Address to be presented to his Majesty, upon the Debate of the House, humbly representing to his Majesty the dangerous State and Condition of the Kingdom, in answer to his Majesty's Message.

'The humble Address of the Commons in Parliament assembled.

The Commons Address.

'May it please your most excellent Majesty, We your Majesty's most obedient and loyal Subjects, the Commons in Parliament assembled, having with all Duty and Regard taken into our serious Consideration, your Majesty's late Message relating to Tangier, cannot but account the Present Condition of it, as your Majesty is pleased to represent it in your sacred Message,

after)

(after ſo vaſt a Treaſure expended to make it uſeful) not only as one Infelicity more added to the afflicted eſtate of your Majeſty's faithful and loyal Subjects, but as one Reſult alſo of the ſame Counſels and Deſigns, which have brought your Majeſty's Perſon, Crown and Kingdoms, into thoſe great and imminent Dangers, with which at this Day they are ſurrounded; and we are the leſs ſurpriz'd to hear of the Exigencies of Tangier, when we remember, that, ſince it became part of your Majeſty's Dominions, it hath ſeveral times been under the Command of Popiſh Governors, (particularly for ſome time under the Command of a Lord Impeached, and now Priſoner in the Tower for the execrable and horrid Popiſh Plot) that the Supplies ſent thither have been in great part made up of Popiſh Officers and Soldiers, and that the Iriſh Papiſts among the Soldiers of that Garriſon, have been the Perſons moſt countenanc'd and encouraged. Anno 31 Car. II. 1680.

'To that Part of your Majeſty's Meſſage, which expreſſes a Reliance upon this Houſe for the ſupport of Tangier, and a recommendation of it to our ſpeedy care, we do with all Humility and Reverence give this Anſwer: That although in due time, and order, we ſhall omit nothing incumbent on us for the Preſervation of every Part of your Majeſty's Dominions, and advancing the Proſperity and flouriſhing Eſtate of this Kingdom; yet at this Time, when a Cloud, which has ſo long threatned this Land, is ready to break on our Heads in a Storm of Ruin and Confuſion, to enter into any farther Conſideration of this Matter, eſpecially to come to any Reſolution in it, before we are effectually ſecured from the imminent and apparent Dangers, ariſing from the Power of Popiſh Perſons and Counſels, we humbly conceive will not conſiſt either with our Duty to your Majeſty, or the Truſt repoſed in us by thoſe we repreſent.

'It is not unknown to your Majeſty, how reſtleſs the Endeavours, and how bold the Attempts of the Popiſh Party, for many Years laſt paſt, have been, not only within this, but other your Majeſty's Kingdoms, to introduce the Romiſh, and utterly to extirpate the true Proteſtant Religion. The ſeveral Approaches they have made towards the compaſſing this their Deſign (aſſiſted by the Treachery of perfidious Proteſtants,) have been ſo ſtrangely ſucceſsful, that it is matter of Admiration to us, and which we can only aſcribe to an overruling Providence, that your Majeſty's Reign is ſtill continued over us, and that we are yet aſſembled to conſult the means of our Preſervation. This bloody and reſtleſs Party, not content with the great Liberty they had a long time enjoyed, to exerciſe their own Religion privately amongſt themſelves, to partake of an equal Freedom of their Perſons and Eſtates, with your Majeſty's proteſtant Subjects, and of an Advantage

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above them, in being excuſed from chargeable Offices and Employments, hath ſo far prevailed, as to find countenance, for an open and avowed Practice of their Superſtition and Idolatry, without controul, in ſeveral Parts of this Kingdom. Great Swarms of Prieſts and Jeſuits have reſorted hither, and have here exerciſed their Juriſdiction, and been daily tempering to pervert the Conſciences of your Majeſty's Subjects.

'Their Oppoſers they have found means to diſgrace; and if they were Judges, Juſtices of the Peace, or other Magiſtrates, to have them turned out of Commiſſion; and in contempt of the known Laws of the Land, they have practiſed upon People of all Ranks and Qualities, and gained over divers to their Religion; ſome openly to profeſs it, others ſecretly to eſpouſe it, as moſt conduced to the Service thereof.

'After ſome time they became able to influence Matters of State and Government; and thereby to deſtroy thoſe they cannot corrupt. The continuance, or prorogation of Parliaments, has been accommodated to ſerve the Purpoſes of that Party. Money raiſed upon the People to ſupply your Majeſty's extraordinary Occaſions, was, by the prevalence of Popiſh Councils, employed to make War upon a Proteſtant State, and to advance and augment the dreadful Power of the French King; though to the apparent hazard of this, and all other Proteſtant Countries. Great numbers of your Majeſty's Subjects were ſent into, and continued in the Service of that King, notwithſtanding the apparent Intereſt of your Majeſty's Kingdoms, the Addreſſes of the Parliament, and your Majeſty's gracious Proclamations to the contrary. Nor can we forbear to mention, how that, at the Beginning of the ſame War, even the Miniſters of England were made Inſtruments to preſs upon that State, the acceptance of one Demand, among others, from the French King, for procuring their Peace with him, that they ſhould admit the public Exerciſe of the Roman Catholic Religion in the United Provinces; the Churches there to be divided; and the Romiſh Prieſts maintained out of the public Revenue.

'At home, if your Majeſty did at any time, by the Advice of your Privy Council, or of your two Houſes of Parliament, command the Laws to be put in execution againſt the Papiſts, even from thence they gained Advantage to their Party, while the Edge of thoſe Laws was turned againſt the Proteſtant Diſſenters; and the Papiſts eſcaped, in a manner, untouched. The Act of Parliament, enjoining a Teſt to be taken by all Perſons admitted into any public Office, and intended for a Security againſt Papiſts coming into Employment, had ſo little Effect, that, either by a Diſpenſation obtained from Rome, they ſubmitted to thoſe Teſts, and held thoſe Offices themſelves; or

thoſe

those put in their Places were so favourable to the same Interests, that Popery itself rather gained, than lost ground since that Act.

'But that their Business in hand might yet more speedily and strongly proceed, at length a Popish Secretary (since executed for his Treasons) takes upon him to set on foot and maintain Correspondencies at Rome, (particularly with a native Subject of your Majesty's, promoted to be a Cardinal) and in the Courts of other foreign Princes (to use their own Form of Speech) for the subduing that pestilent Heresy, which has so long domineered over this northern World; that is, to root the Protestant Religion out of England, and thereby to make way the more easily, to do the same in other Protestant Countries.

'Towards the doing of this great Work, (as Mr. Coleman was pleased to call it) Jesuits (the most dangerous of all the Popish Orders, to the Lives and Estates of Princes) were distributed to the several Precincts within this Kingdom, and held joint Councils with those of the same Order, in all neighbouring Popish Countries: Out of these Councils and Correspondencies was hatched that damnable and hellish Plot, by the good Providence of Almighty God, brought to light above two Years since, but still threatning us; wherein Traytors, impatient of longer Delay, reckoning the prolonging of your sacred Majesty's Life, (which God long preserve) as the great Obstacle in the way to the Consummation of their Hopes; and having in their Prospect a proselyted Prince, immediately to succeed in the Throne of these Kingdoms, resolved to begin their Work with the Assassination of your Majesty; to carry it on with armed Force: to destroy your Protestant Subjects in England; to execute a second Massacre in Ireland; and so with Ease to arrive at the suppression of our Religion, and the subversion of the Government.

'When this accursed Conspiracy began to be discovered, they began the smothering it up with the barbarous Murder of a Justice of the Peace, within one of your Majesty's own Palaces, who had taken some Examinations concerning it.

'Amidst these Distractions and Fears, Popish Officers for the Command of Forces, were allowed upon the Musters, by special Orders (surreptitiously obtained from your Majesty) but counter-signed by a Secretary of State, without ever passing under the Tests prescribed by the aforementioned Act of Parliament. In like Manner, above fifty new Commissions were granted about the same time to known Papists, besides a great number of desperate Popish Officers, though out of Command, yet entertained at Half-Pay. When in the next Parliament, the House of Commons were prepared

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to bring to a legal Trial the principal Conſpirators in this Plot, that Parliament was firſt prorogued, and then diſſolved. The Interval between the calling and ſitting of this Parliament was ſo long, that now they conceive Hopes of covering all their paſt Crimes, and gaining a ſeaſonable Time and Advantages of practiſing them more effectually.

'Witneſſes are attempted to be corrupted, and not only Promiſes of Reward, but of the favour of your Majeſty's Brother, made the Motives to their Compliance! Divers of the moſt conſiderable of your Majeſty's Proteſtant Subjects have Crimes of the higheſt Nature forged againſt them; the Charge to be ſupported by Subornation and Perjury, that they may be deſtroyed by Forms of Law and Juſtice.

'A Preſentment being prepared for a Grand-Jury of Middleſex, againſt your Majeſty's ſaid Brother, the Duke of York (under whoſe Countenance all the reſt ſhelter themſelves) the Grand-Jury were, in an unheard of, and unprecedented, and illegal Manner, diſcharged; and that with ſo much haſte and fear, leſt they ſhould finiſh that Preſentment, that they were prevented from delivering many other Indictments, by them at that Time found againſt other Popiſh Recuſants. Becauſe a Pamphlet came forth weekly, called, *The weekly Packet of Advice from Rome*; which expoſes Popery (as it deſerves) as ridiculous to the People; a new and arbitrary Rule of Court was made in your Majeſty's Court of King's Bench, (rather like a Star-Chamber, than a Court of Law) That the ſame ſhould not, for the future, be printed by any Perſon whatſoever.

'We acknowledge your Majeſty's Grace and Care, in iſſuing forth divers Proclamations ſince the Diſcovery of the Plot, for the baniſhing Papiſts from about this great City, and Reſidence of your Majeſty's Court and the Parliament; but with Trouble of Mind do we humbly inform your Majeſty, That, notwithſtanding all theſe Prohibitions, great Numbers of them, and of the moſt dangerous Sort, to the Terror of your Majeſty's Proteſtant Subjects, do daily reſort hither, and abide here. Under theſe, and other ſad Effects and Evidences of the Prevalency of Popery, and its Adherents, We your Majeſty's moſt faithful Commons found this your Majeſty's diſtreſſed Kingdom, and other Parts of your Dominions, labouring, when we aſſembled.

'And therefore from our Allegiance to your Majeſty, our Zeal to our Religion, our Faithfulneſs to our Country, and our Care of Poſterity, We have lately, upon mature Deliberation, propoſed one Remedy of theſe great Evils; without which (in our Judgments) all others will prove vain and fruitleſs; and (like all deceitful Securities againſt certain Dangers) will rather expoſe your Majeſty's Perſon to the great

great Hazard, and the People, together with all that's valuable to them, as Men or Christians, to utter Ruin and Destruction. We have taken this Occasion of an Access to your Majesty's royal Presence, humbly to lay before your Majesty's great Judgment and gracious Consideration, this most dreadful Design of introducing Popery, and as necessary Consequences of it, all other Calamities, into your Majesty's Kingdoms. And if, after all this, the private Suggestions of the subtle Accomplices of that Party and Design should yet prevail, either to elude, or totally obstruct the faithful Endeavours of Us your Commons, for an happy Settlement of this Kingdom, We shall have this remaining Comfort, That we have freed ourselves from the Guilt of that Blood and Desolation which is like to ensue. But our only Hope, next under God, is in your Sacred Majesty, That, by your great Wisdom and Goodness, we may be effectually secured from Popery, and all the Evils that attend it: And that none but Persons of known Fidelity to your Majesty, and sincere Affections to the Protestant Religion, may be put into any Employment, civil or military; that whilst we shall give a Supply to Tangier, we may be assured we do not augment the Strength of our Popish Adversaries, nor encrease our own Dangers. Which Desires of your faithful Commons, if your Majesty shall graciously vouchsafe to grant, we shall not only be ready to assist your Majesty in Defence of Tangier, but do whatsoever else shall be in our power, to enable your Majesty to protect the Protestant Religion and Interest at home and abroad; and to resist and repel the Attempts of your Majesty's, and the Kingdom's Enemies.'

Proceedings against the Earl of Hallifax.

The same day a Debate arising in the House, on a Motion for an Address to his Majesty to remove George Earl of Hallifax from his Majesty's Presence and Councils for ever; the Question was put to adjourn the said Debate, and pass'd in the Negative, Yeas 95, Noes 219. After which the said Address was voted.

The 19th, the House agreed to the Address concerning Sir George Jefferies, which was as follows:

Address concerning Sir George Jefferies.

'We your Majesty's most dutiful and loyal Subjects, &c. having received a Complaint against Sir George Jefferies, Knt. your Majesty's Chief Justice of Chester, and heard the Evidence concerning the same, and also what he did alledge and prove in his Defence; and being thereupon fully satisfied that the said Sir George Jefferies, well-knowing, that many of your Protestant Subjects, and particularly those of your great and famous City of London, out of Zeal for the Preservation of the Protestant Religion, and your Majesty's Person and Government, and in hopes to bring the Popish Conspirators

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rators to ſpeedy Juſtice, were about to petition to your Majeſty in an humble, dutiful and legal way, for the ſitting of this Parliament; the ſaid Sir George Jefferies not regarding his Duty to your Majeſty, nor the Welfare of your People, did, on purpoſe to ſerve his own private Ends, and to create a Miſunderſtanding between your Majeſty and your Subjects, tho' diſguis'd with the Pretence of Service to your Majeſty, maliciouſly declare ſuch Petitioning ſometimes to be tumultuous, ſeditious and illegal; and, at other times, did preſume publickly to inſinuate and aſſert, as if your Majeſty would deprive the Citizens of London of their Charters, and divers other Privileges and Immunities, and Advantages; and alſo, of your Royal Favour: And in caſe they ſhould ſo petition, there ſhould not be any Meeting or Sitting of Parliament: thereby traducing your Majeſty, as if you would not purſue your gracious Intentions, the rather becauſe they were grateful to your good Subjects, do, in moſt humble manner, beſeech your Majeſty to remove the ſaid Sir George Jefferies out of the ſaid Place of Chief-Juſtice of Cheſter, and out of all other public Offices and Employments under your Majeſty.'

His Majeſty's Reply was, 'That he would conſider of it.'

Sir Gilbert Gerrard prefers Articles of Impeachment againſt Edward Seymour Eſq;

The 26th, Sir Gilbert Gerrard acquainted the Houſe, That he had Articles of Impeachment of High Crimes, Miſdemeanours and Offences, againſt Edward Seymour Eſq; a Member, and Treaſurer of the Navy; the Contents of which were to the following Effect:

'1. That whereas 584,978l. was appropriated by Act of Parliament for the Building 30 Ships of War, and it was enacted that the Treaſurer of the Navy ſhould keep all Monies paid on that Account diſtinct and a-part from all other Monies, and ſhould iſſue the ſame by Warrant of the principal Officers and Commiſſioners of the Navy, to the ſaid ſpecify'd Uſe, and to no other whatever: The ſaid Edward Seymour, being Treaſurer of the Navy, contrary to his Duty, had lent the Sum of 90,000l. at 8 *per Cent.* Part of the Sum above-mentioned, towards the Support and Continuance of the Army, after ſuch time as by Act of Parliament the ſaid Army ought to be disbanded; whereby the ſaid two ſeveral Acts were eluded, and the ſaid Army was kept on foot, to the great Diſturbance, Hazard, and Danger of the Peace, and Safety of this Kingdom; and the Nation was afterwards put to a new Charge of raiſing 200,000l. for the disbanding the ſaid Army.

2. That whereas a Poll-Tax was granted to enable his Majeſty to enter into an actual War with France, and for the Repayment of any ſuch Perſons as ſhould furniſh his Majeſty with Money or Stores for that end: And whereas certain

certain East-Land Merchants did ſupply great Quantities of Naval Stores, on being aſſur'd that 40,000 l. Part of the Money rais'd by the ſaid Act, was at that time actually in the hands of the ſaid Edward Seymour, which he likewiſe acknowledged, and did promiſe to pay the ſaid Merchants in part of Satisfaction for the ſaid Stores; he the ſaid Edward Seymour did iſſue out the ſaid Sum to the Victuallers of the Navy by way of Advance for Proviſions not brought in, contrary to the Meaning of the ſaid Act, and of which the ſaid Merchants did complain in Parliament. Anno 31 Car. II. 1680.

'3. That the ſaid Edward Seymour being Treaſurer of the Navy, and then, and ſtill having a Salary of 3000 l. *per Annum* clear for the ſame, during the time he was Speaker for the late long Parliament, did receive out of the Monies appointed for ſecret Service the yearly Sum of 3000 l. over and above the ſaid Salary, which was conſtantly payed to him, as well during the Intervals, as the Seſſions of Parliaments; and particularly during the Prorogation of fifteen Months.

'4. That during the Dutch War, the ſaid Edward Seymour being one of the Commiſſioners of Prizes, did fraudulently and unlawfully unlade a Prize-Ship, without Order or Authority, and did houſe the Lading of the ſaid Ship, and lock up; and afterwards, without the Preſence of any Store-Keepers, did ſell the ſame for Muſcovado Sugars, and did account with his Majeſty for the ſame as ſuch: when in truth, the ſaid Ship was laden with Cochineal, Indigo, and other Merchandizes of a great Value.

Order'd, That Sir Edward Seymour have a Copy of the ſaid Articles; and that he do put in his Anſwer the 25th.

The 22d, Mr. Trenchard, according to Order, exhibiting the Addreſs to his Majeſty to remove the Earl of Halifax, when a Motion was made to re-commit the ſaid Addreſs; but paſs'd in the Negative, Yeas 101, Noes 213. After which, ſome Amendments being made to it, it was agreed to by the Houſe, and was as follows:

Addreſs to remove Lord Halifax.

'Moſt gracious Sovereign, We your Majeſty's moſt dutiful and loyal Subjects, *&c.* being deeply ſenſible of the manifold Dangers and Miſchiefs that have been occaſioned to your Kingdom by the Diſſolution of the laſt Parliament, and by the frequent Prorogations of the preſent Parliament, whereby the Papiſts have been greatly encouraged to carry on their wicked and damnable Conſpiracies againſt your Royal Perſon and Government, and the Proteſtant Religion now eſtabliſhed amongſt us, have had many opportunities to contrive falſe and malicious Plots againſt the Lives and Honours of ſeveral of your loyal Proteſtant Subjects; und having juſt reaſon to believe, that the ſaid Diſſolution was

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promoted by the evil and wicked Councils of George Earl of Halifax, do, therefore, moſt humbly pray your Majeſty, for the taking away all Occaſion of Diſtruſt and Jealouſies, between your Majeſty and us your loyal Commons; and that we may with greater Chearfulneſs, proceed to perfect thoſe Matters now before us, which tend to the Safety and Honour of your ſacred Perſon and Government, and the Preſervation of the true Proteſtant Religion, both to ourſelves and our Poſterity, That you would be graciouſly pleaſed to remove the ſaid George Earl of Halifax from your Preſence and Councils for ever.

To this Addreſs, ſome days after, his Majeſty was pleas'd to ſend the following Anſwer.

His Majeſty's Anſwer.

'C. R.

'His Majeſty, having receiv'd the Addreſs of this Houſe, 'relating to the Earl of Halifax, has thought fit to return 'this Anſwer: That he conceives the ſaid Addreſs to be 'liable to ſeveral Exceptions: But, having a great Deſire 'to preſerve all poſſible good Underſtanding with this Houſe, 'he chuſes to decline to enter into Particulars, to avoid all 'Occaſions of Diſpute.

'He, therefore, thinks fit to tell them, That he doth 'not find the Grounds in the Addreſs of this Houſe to be 'ſufficient to induce him to remove the Earl of Halifax.

'But he anſwers them at the ſame time, that whenever 'the Houſe ſhall, in a due and regular courſe, prove any 'Crime either againſt the ſaid Earl of Halifax, or any other 'Perſon, who either now is, or hereafter ſhall be in his 'Council, he will leave him or them to their own legal 'Defence, without interpoſing to protect them.'

Both Houſes addreſs for a Faſt.

The 23d, both Houſes agreed to addreſs his Majeſty to appoint a Day to be ſolemnly ſet apart, wherein both themſelves and all his Majeſty's Subjects might, by Faſting and Prayer, endeavour a Reconciliation with Almighty God, and with humble and penitent Hearts implore him by his Power and Goodneſs to divert thoſe Judgments (before enumerated) and defeat the wicked Councils and Devices of our Enemies, *&c.*

Debate on diſmiſſing a Middleſex Grand-Jury.

The ſame day, ſeveral Perſons being examined about the diſmiſſing of a Grand-Jury in Middleſex, the following Debate enſued.

Sir William Jones.

'Mr. Speaker, Sir, the Preſervation of the Government in general, as well as our particular Safeties, have a dependance upon the Matter that is now before you; in which there are ſo many Miſcarriages ſo complicated, as there ariſeth ſome Difficulty how to examine them. I cannot but obſerve, how the Proclamation is here again mentioned; by which you may conclude there lieth a great weight on the People's

People's Right to petition by means thereof; and that the best way to remove it is, to find out the Adviſers and Contrivers of that Proclamation, in order to proceed againſt them according to their Deſerts. Without which, what you have done in aſſerting the Right of petitioning, will remain with ſome doubt; and thoſe that adviſed the proclaiming to the People, that it is ſeditious to petition the King, without that Chaſtiſement they deſerve. And therefore I humbly conceive, you will do well to conſider of it as ſoon as you can. It is not ſtrange, that the Proclamation ſhall be made uſe of with Country Gentlemen, to get Abhorrers to petitioning; ſeeing the Judges themſelves have made uſe of it to that purpoſe: They ſhould have known, that though a Proclamation might be of great Uſe, to intimate the Obſervation of a Law; yet that it had never been uſed inſtead of a Law. But yet I do not admire ſo much at this, as I do at the Diſcharge of the Grand-Jury, before they had finiſhed their Preſentments. It tends ſo much to the Subverſion of the eſtabliſhed Laws of this Land, that I dare pronounce that all the Laws you have already, and all that you can make, will ſignify nothing againſt any great Man, unleſs you can remedy it for the future. I obſerve, there were two Reaſons why this Grand-Jury were ſo extrajudicially diſcharged; one, becauſe they would otherwiſe have preſented the Duke of York for a Papiſt; the other, becauſe they preſented a Petition to be delivered to the King, for the ſitting of the Parliament; which they ſaid it was not their buſineſs to deliver. Tho' I cannot but obſerve, how, upon other occaſions, they did receive Petitions, and delivered them to the King; and all the Difference was, that thoſe Petitions ſo delivered, were againſt Sittings of Parliaments. The truth is, I cannot much condemn them for it; for if they were guilty of ſuch Crimes as the Witneſſes have this day given you Information of, I think they had no reaſon to further Petitions for the Sitting of a Parliament. But, Sir, this Buſineſs will need a farther Information; and therefore I humbly pray it may be referred to a Committee.'

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Sir Francis Winnington.

'Mr. Speaker, Sir, I think we are come to the old Times again, when the Judges pretended they had a Rule of Government, as well as a Rule of Law; and that they have acted accordingly. If they did never read *Magna Charta*, I think they are not fit to be Judges; if they have read *Magna Charta*, and do thus ſo contrary, they deſerve a ſevere Chaſtiſement. To diſcharge Grand-Juries, of purpoſe to diſappoint them of making their Preſentments, is to deprive the Subject of the greateſt Benefit and Security the Law hath provided for them. If the Judges, inſtead of acting by Law, ſhall be acted by their own Ambition; and

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endeavour to get Promotions, rather by worſhipping the riſing Sun, than by doing juſtice, this Nation will ſoon be reduced to a miſerable condition. Suppoſe that after the Diſcharge of this Grand-Jury, ſome Perſon had offered to preſent ſome Murder, Treaſon, or other capital Crime, for want of the Grand-Jury there would have been a Failure of Juſtice. As Faults committed by Judges are of more dangerous conſequence than others to the public; ſo there do not want Precedents of ſeverer Chaſtiſements for them, than for others. I humbly move you, firſt, to paſs a Vote upon this Buſineſs, of diſcharging Grand-Juries; and then to appoint a Committee to examine the Miſcarriages of the Judges in Weſtminſter-Hall, and to report the ſame with all ſpeed to you.'

Silas Titus.

'Mr. Speaker, Sir, as it hath been obſerved, that this Buſineſs hath ſome reference to the Proclamation; ſo I believe, there is ſomething of the Plot in it too. And therefore I think if this Plot does not go on, it will have the worſt luck that ever Plot had; ſeeing the Judges, as well as moſt other Perſons in public Places, have given it as much Aſſiſtance as they could. But whereas ſome have ſpoken ill of theſe Judges, I deſire to ſpeak well of them in one thing: I am confident they have herein ſhewed themſelves grateful to their Benefactors; for I do believe, that ſome of them were preferred to their Places of purpoſe, becauſe they ſhould do what they have done. Laws of themſelves are but dead Letters; unleſs you can ſecure the Execution, as well of thoſe you have already, as of thoſe you are now making, we ſhall ſpend our Time to little purpoſe. Therefore I ſecond the Motion that hath been made for a Vote to declare the Senſe of the Houſe, as to the diſcharging of Grand-Juries; and for referring the farther Examination to a Committee.'

William Sacheverel.

'Mr. Speaker, Sir, the Buſineſs of this Debate is a great inſtance of our ſick and languiſhing Condition. As our Ships, Forts, and Caſtles, are for ſecuring us from the Danger of our Enemies from abroad, ſo our Laws from our Enemies at home; and if committed to ſuch Perſons as will turn their Strength upon us, are equally dangerous. Sir, We all know how the Government of Scotland hath been quite altered ſince his Majeſty's Reſtoration, by ſome Laws made there; pray let us have a care that ours be not altered, by the corrupt Proceedings of Judges, leſt we be reduced to the ſame weak Condition of defending ourſelves againſt Popery and arbitrary Government here, that they are there. If Judges can thus prevent the Penalties of the Law, by diſcharging Grand-Juries before they have made their Preſentments, and can make Laws by their Rules of Court, I think

the Government may ſoon be ſubverted; and therefore it is high time for this Houſe to ſpeak with thoſe Gentlemen. In former times ſeveral Judges have been impeached, and hanged too, for leſs Crimes than theſe; and the reaſon was becauſe they had broke the King's Oath as well as their own. If what hath been ſaid of ſome of theſe Judges be fully proved, they ſhall not want my Vote to inflict on them the ſame Chaſtiſement. The truth is, Sir, I know not how the ill Conſequences we juſtly fear from Judges can be prevented, as long as they are made *durante bene-placito*, and have ſuch Dependencies as they have. But this muſt be a Work of Time: In order to remedy our preſent Grievances, let us paſs a Vote upon this Buſineſs of diſcharging Grand-Juries; and that it may be penned as the Caſe deſerves. If you pleaſe, let it be drawn up by a Committee that may withdraw for that purpoſe; and let there be alſo one appointed to examine the Miſcarriage of the Judges.' Anno 31 Car. II. 1680.

'Mr. Speaker, Sir, I would beg leave to obſerve to you, becauſe I think it may be neceſſary to be conſidered by your Committee, what an opinion was given not long ſince by ſome of theſe Judges about Printing; which was, that Printing of News might be prohibited by Law; and accordingly a Proclamation iſſued out. I will not take on me to cenſure the Opinion as illegal, but leave it to your farther Conſideration. But I remember there was a Conſultation held by the Judges a little before; and they gave their opinion, that they knew not of any way to prevent Printing by Law; becauſe the Act for that purpoſe was expired. Upon which, ſome Judges were put out, and new ones put in; and then this other opinion was given. Theſe things are worthy of a ſerious Examination. For if Treaſurers may raiſe Money by ſhutting up the Exchequer, borrowing of the Bankers, or Retrenchments; and the Judges make new Laws by an ill Conſtruction, or an ill Execution of the old ones: I conclude, that Parliaments will ſoon be found uſeleſs; and the Liberty of the People an Inconvenience to the Government. And therefore, I think, Sir, you have been well moved to endeavour to paſs your Cenſure on ſome of theſe illegal Proceedings by a Vote; and to refer the farther Conſideration to a Committee.' Henry Sidney.

'Mr. Speaker, in the Front of *Magna Charta* it is ſaid, *nulli negabimus, nulli differemus juſtitiam*; we will defer, or deny Juſtice to no Man: To this the King is ſworn, and with this the Judges are entruſted by their Oaths. I admire what they can ſay for themſelves; if they have not read this Sir Francis Winnington *.

* *As it ſeems ſtrange that the ſame Perſon ſhould ſpeak twice to the ſame purpoſe in the ſame Debate, it muſt be ſuppos'd a Miſtake, though we have not ſufficient light left us to rectify it.*

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Law, they are not fit to ſit upon the Bench: And if they have, I had almoſt ſaid, they deſerve to loſe their Heads.

'Mr. Speaker, the State of this poor Nation is to be deplored, that in almoſt all Ages, the Judges who ought to be Preſervers of the Laws have endeavoured to deſtroy them; and that to pleaſe a Court-Faction, they have by Treachery attempted to break the Bonds aſunder of *Magna Charta*, the great Treaſury of our Peace. It was no ſooner paſſed, but a Chief Juſtice (Hubert de Burg) in that day, perſuades the King he was not bound by it; becauſe he was under Age when it was paſſed. But this ſort of Inſolence the next Parliament reſented, to the Ruin of the pernicious Chief Juſtice. In the time of Richard II. an unthinking diſſolute Prince, there were Judges that did inſinuate into the King, that the Parliament were only his Creatures, and depended on his Will, and not on the fundamental Conſtitutions of the Land: which treacherous Advice proved the Ruin of the King; and for which all thoſe evil Inſtruments were brought to Juſtice. In his late Majeſty's time, his Misfortunes were occaſioned chiefly by the Corruptions of the long Robe; his Judges, by an extrajudicial Opinion, gave the King Power to raiſe Money, upon any extraordinary occaſion, without Parliament; and made the King Judge of ſuch Occaſions: Charity prompts me to think they thought this a Service to the King; but the ſad Conſequences of it may convince all Mankind, that every illegal Act weakens the Royal Intereſt; and to endeavour to introduce abſolute Dominion in theſe Realms, is the worſt of Treaſons: Becauſe whilſt it bears the Face of Friendſhip to the King, and deſigns to be for his Service, it never fails of the contrary Effect.

'The two great Pillars of the Government, are Parliaments and Juries; it is this gives us the Title of freeborn Engliſhmen: For my Notion of free Engliſhmen is this, that they are ruled by Laws of their own making, and tried by Men of the ſame condition with themſelves. The two great and undoubted Privileges of the People, have been lately invaded by the Judges that now ſit in Weſtminſter-Hall; they have eſpouſed Proclamations againſt Law; they have diſcountenanced and oppoſed ſeveral legal Acts, that tended to the Sitting of this Honourable Houſe; they have graſped the Legiſlative Power into their own hands, as in that Inſtance of Printing; the Parliament was conſidering that Matter, but they in the interim made their private Opinion to be Law, to ſuperſede the Judgment of this Houſe. They have diſcharged Grand-Juries, on purpoſe to quell their Preſentments, and ſhelter great Criminals from Juſtice; and when Juries have preſented their Opinion for the Sitting

ting of this Parliament, they have in Diſdain thrown them at their Feet, and told them they would be no Meſſengers to carry ſuch Petitions; and yet in a few days after, have encouraged all that would ſpit their venom againſt the Government: they have ſerved an ignorant and arbitrary Faction, and been the Meſſengers of Abhorrences to the King. Anno 32 Car. II. 1680.

'Mr. Speaker, what we have now to do, is to load them with Shame, who bid defiance to the Law: They are guilty of Crimes againſt Nature, againſt the King, againſt their Knowledge, and againſt Poſterity. The whole Frame of Nature doth loudly and daily petition to God their Creator; and Kings, like God, may be addreſſed to in like manner, by Petition, not Command. They likewiſe knew it was lawful to petition: Ignorance can be no Plea, and their Knowledge aggravates their Crimes; the Children unborn are bound to curſe ſuch Proceedings, for 'twas not Petitioning, but Parliaments they abhorred. The Atheiſt pleads againſt a God, not that he diſbelieves a Deity, but would have it ſo. Treſilian and Belknap were Judges too; their Learning gave them Honour, but their Villainies made their Exit by a Rope. The End of my Motion therefore is, that we may addreſs warmly to our Prince againſt them; Let us ſettle a Committee to enquire into their Crimes, and not fail of doing juſtice upon them that have perverted it; let us purge the Fountain, and the Streams will iſſue pure.'

Reſolved, That the diſcharging of a Grand Jury by any Judge, before the End of the Term, Aſſizes, or Seſſions, while Matters are under their Conſideration, and not preſented, is arbitrary, illegal, deſtructive to public Juſtice, a manifeſt Violation of his Oath, and is a means to ſubvert the fundamental Laws of this Kingdom. Votes in conſequence of this Debate.

Reſolved, That a Committee be appointed to examine the Proceedings of the Judges in Weſtminſter-Hall, and report the ſame, with their Opinion thereon, to this Houſe.

The 24th, Mr. Attorney-General being call'd in, and examin'd touching the manner of iſſuing forth the Proclamation, ſtiled, A Proclamation againſt tumultuous Petitioning; and giving account to the Houſe, that Sir Francis North, Chief Juſtice of the Common-Pleas, was adviſing and aſſiſting at the ſaid drawing and paſſing the ſaid Proclamation: It occaſion'd a Debate, which terminated in the following Reſolution:

'That the Evidence this Day given to this Houſe againſt Sir Francis North, Chief-Juſtice of the Common-Pleas, is ſufficient ground for this Houſe to proceed upon an Impeachment againſt him for high Crimes and Miſdemeanours; and the Heads of an Impeachment were ordered to be prepared accordingly.' An Impeachment order'd againſt Ld Chief Juſtice North.

The

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Another againſt Mr. Seymour.

The 26th, the Houſe reſumed the Impeachment of Mr. Seymour. Reſolv'd *nem. con.* That there was Matter ſufficient to impeach the ſaid Mr. Seymour, on every Article exhibited againſt him; and order'd, that a Committee be appointed to prepare the ſaid Impeachment.

The 27th, in compliance with a Meſſage from the Lords, a Committee was appointed to meet a Committee of the Lords to adjuſt the Methods and Circumſtances in the Trial of the Lord Viſcount Stafford.

Report from the joint Committee of both Houſes relating to Lord Stafford's Trial.

The 29th, Sir William Jones reported from the ſaid joint Committee, That the ſaid Committee did meet on Saturday laſt, and that the Committee of the Lords being ask'd by the Committee of this Houſe, whether their Lordſhips had any Propoſitions to make to the ſaid Committee, touching the Methods to be obſerv'd in the Trials of the Lords in the Tower? Their Lordſhips made anſwer, that the Lords had ſent down a Paper to this Houſe, containing ſeveral Propoſitions, and that the Committee Lords knew of no other Propoſitions.

That their Lordſhips being ask'd, whether the Commiſſion of the Lord High-Steward was drawn in the ſame manner as that in the laſt Parliament; and whether the Clauſe *cujus Præſentiæ in hac Parte requiritur*, were inſerted: Their Lordſhips anſwer'd, that they could not give any account thereof; but that they would make Report of the ſaid Propoſitions to the Houſe of Peers, and would afterwards give anſwer to the Committee therein.

That their Lordſhips being ask'd, whether they would give any aſſurance that the Lords Spiritual would be abſent at the Trials? Their Lordſhips anſwer'd, that they had no power from the Houſe of Lords to give any account in that matter; but that their Lordſhips would report the ſame to the Houſe of Peers, and return an Anſwer to the ſaid Committee at the next Meeting, which was agreed to be that day at 12 o'clock.

The ſame day the Houſe reſolv'd to come as a Committee to the Trial of the Lord Stafford, upon the Impeachment of the Commons.

The ſecond Report.

The ſame day likewiſe, Sir William Jones made his ſecond Report from the joint Committee, *viz.*

'That the Committee being met, their Lordſhips return'd an Anſwer to ſeveral Propoſitions made by the Committee of their Houſe as follows:

'That as to the Queſtion, whether the Lord High Steward's Commiſſion be the ſame as it was the laſt Parliament, the Lords anſwered that the Commiſſion differ'd not from the former, otherwiſe than that the Name of the Lord High-Steward is inſerted in this, in the Place where the

ed in that Act.

'That as touching the Lords Spiritual, their Lordships have return'd Assurance that they will not be present at the Trial.

'That their Lordships acquainted the said Committee, that the Prisoner is to be brought to-morrow Morning, at 10 o'clock.

'That the said Committee having acquainted the Lords Committees with the Vote of this House of coming to the Trial of Lord Stafford as a Committee, made a Proposal to the said Lords, taking no notice of the Rules sent down from the Lords, *viz.* That when the Commons should be ask'd any Question in the Trial, they should apply themselves to the Lord High-Steward; and that the Committee making some Exceptions thereto, they taking the Lord High Steward not as a necessary Part of the Court, but only as the Speaker of the House of Lords; alledging, that when the Commons speak to the Court, they ought to say, My Lords, not My Lord, or your Grace: and that then the Committee adjourn'd to nine o'clock to-morrow Morning.'

End of the First TOME.

MVSEVM
BRITANNICVM

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